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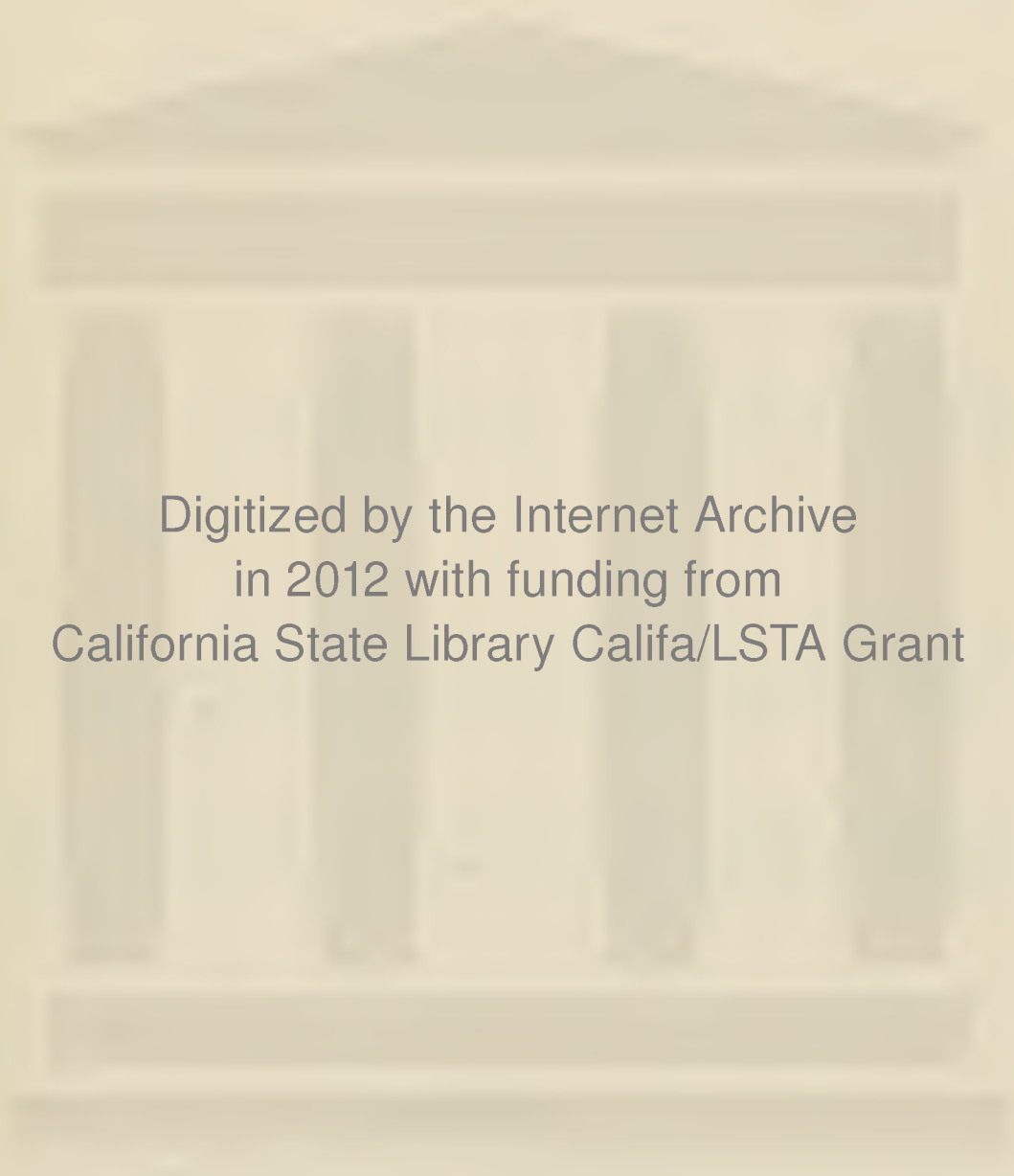

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

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Minutes of the Meeting of January 12, 1978

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**************************************
*    NEXT MEETING   Thursday         *
*                   January 26, 1978 *
*                   9:15 A.M.        *
*                                    *
*    Commission Room, Third Floor    *
*    Main Library, Civic Center      *
*                                    *
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W. R. Drummer, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Dan Silva.

Staff

Present: Grant S. Mickins, Jack Casford, Chester Chew, Luis Escobar, Don Hesse, Joe Meza, David Prowler, Vicky Rathbone, Wayne Redus, Gail Roberts, Jose Robles, Essie Thomas, David Treanor, Ed Vurek, Jeffrey Wong

The Rev. W. R. Drummer was welcomed to his first meeting as a recently-appointed Commissioner and made a brief statement. Caryl Mezey, who resigned in late 1977 to be a candidate for the Board of Supervisors, was welcomed back as a newly-reappointed member of the HRC, and she, too, made a brief statement.

Pledge of Allegiance

The Minutes of December 8, 1977 were approved. The meeting of December 22, 1977, was cancelled.

CORRESPONDENCE

- From Floyd C. Adams, Regional Civil Rights Specialist, Office for Civil Rights, U. S. Department of Health, Education and Welfare, a letter of resignation from the HRC's Employment Committee because of an increased workload.

- From May Ann Aronson, Forum Committee, League of Women Voters of San Francisco, announcing the second of four Forums on the Urban Crisis in the Bay Area, Saturday, January 28, 1978. For information call the League San Francisco office, 986-0480.

- From Susan J. Hagerty, Acting Departmental Personnel Officer, San Francisco General Hospital Medical Center, sending a copy of "News - Release Mailing List for National Chicano Coverage" as requested by Director Mickins.

- From Joseph J. Botka, Chief Probation Officer, designating Byron Bray, Supervisor of Placement Division, as liaison representative of the Juvenile Court to work with Emmett Rosebrough, HRC Community Liaison Worker.

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- From William J. Barry, President, County of Los Angeles Commission on Human Relations, a form letter attaching a resolution adopted by the Commission December 19, 1977 opposing the approval by the University of California Board of Regents of a change in Admissions Standards by requiring a mandatory consideration of standardized college admission test scores. The resolution calls for a one-year study before implementation of the mandatory test criteria to analyze the impact it would have upon minority and rural applicants to the University. This issue was referred to the HRC Youth & Education Committee.

- From William D. Burrows, Vice President, W & B Constructors, Inc., Belmont, California, notifying of formal withdrawal of B&F Concrete Contractors for the San Francisco Opera House Addition & Alternations project. See Director's Remarks below.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, revised instructions concerning the filing of Statements of Economic Interest under each department or agency's Conflict of Interest Code.

- From Susan Englander, for the Reproductive Rights Committee, National Organization for Women, announcing its sponsorship of a picket line on Friday, January 20th, at the United Nations Plaza to demand the maintenance of Medi-Cal-funded abortions.

DIRECTOR'S REPORT

- Administrative Hearings Upcoming for the HRC.

1. John David Carter v. Bank of America: Director Mickins issued a Finding December 13, 1977, in favor of the complainant who charges he was fired after 18 years as a bank auditor because of his sexual orientation. The Bank of America may request a show-cause hearing of the HRC.

2. Minority Contractors Association of Northern California v. W & B and their sub-contractor, B&F Concrete Contractors: Constructors, Inc.; Director Mickins issued a Finding January 9, 1978, after exhaustive review and investigation and an audit by a firm of Certified Public Accountants, in favor of the plaintiffs' charge that B&F was not a bonafide minority contractor. The respondents intend to ask for a hearing by the full HRC.

**** Chairperson Yamakawa polled the Commissioners present on their past experience at sitting on show-cause or full hearings.

- HRC Appeal of Permanent Injunction in Fisherman's Wharf Case

Judith Teichman, representing the HRC from the City Attorney's Office in the case, has filed a Notice of Appeal to the Permanent Injunction issued November 27, 1977, by Superior Court Judge Charles S. Peery, enjoining the HRC from requiring Alioto's Fish Company and other Fisherman's Wharf restaurants to enter into affirmative action agreements, or to answer questions about them.

- Follow-up on Recommendations to Juvenile Justice Commission

The Director and HRC staff have met with representatives of the Juvenile Justice Commission to follow-up on the series of recommendations the HRC made in 1977 on placement and affirmative action policies. The Commission intends to set up a joint HRC committee - Juvenile Justice Commission to work on implementation of those long-standing HRC recommendations on those policies which are mutually agreeable.

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SPECIAL ORDER

- Report and Recommendations of Nominating Committee for Chairperson and Vice-Chairperson.

Commissioners Fine, Giles, and Lyon nominated David Yamakawa as Chairperson of the HRC for the next calendar year (1978), and Caryl Mezey as Vice-Chairperson. The Commissioners also commended Commissioner Maxwell for serving out the unexpired term of Commissioner Yamakawa, who moved from Vice-Chairperson to Chairperson when Caryl Mezey resigned in the Fall of 1977 to run for the Board of Supervisors.

On motion of Commissioner Maxwell, presiding as Vice-Chairperson, it was

**** m/s/c unanimously that the nominations be accepted and Commissioners Yamakawa and Mezey be the Chairperson and Vice-Chairperson, respectively, for 1978 of the HRC.

Chairperson Yamakawa asked Commissioners to notify himself or the Director of their preferred committee assignments and of their willingness to chair one or more standing committees, which he will appoint in the near future.

COMMITTEES

Youth and Education
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Recommended HRC Endorsement of the San Francisco Unified School District Counseling Educational Centers, and the District's Funding Application to the San Francisco Foundation.

The proposed Resolution of Endorsement was provided in advance to the Commissioners. The proposed centers are planned as a means to deal with discipline problems and to decrease suspensions in the SFUSD. Commissioner Solomon emphasized that the proposed endorsement was made after thorough questioning and analysis by the Y & Ed Committee.

Commissioner del Portillo expressed a number of personal concerns with the proposed endorsement resolution, and stressed her feeling that the proposed centers should be staffed by "persons who can communicate with ...minority students."

Commissioner Maxwell stated that she felt that the proposed centers would "stigmatize and categorize" minority (black) students, and expressed reservations about how they would be staffed.

Commissioner Solomon made responses to specific items of concern of Commissioner del Portillo.

Commissioner Grafilo said he thought the resolution should be strengthened from its present form, but emphasizing future change rather than critizing the past.

**** At the suggestion of Chairperson Yamakawa, and in view of the need he expressed for further study by members of the HRC of this issue, it was

agreed to table the Proposed Resolution of Endorsement of the SFUSD Counseling/Education Centers and the District's Funding Application to the San Francisco Foundation until the HRC meeting of January 26th. Persons with further suggestions for the proposed endorsement were asked to offer them before January 26th.

EMPLOYMENT

Rabbi Alvin Fine, Chairperson
Carlota Del Portillo, Co-Chairperson

- Completion of Affirmative Action Agreement with the Firm of De Leuw/Greeley/Hyman, the Construction Manager for the City's Wastewater Management Program.

Prior to the verbal presentation of details of this important agreement by Edward Vurek, Employment Coordinator Wayne Redus introduced the following persons:

Richard Sklar, Program Coordinator, Wastewater Management Program.

Jake Sloan and Everett Brandon, Deputy Managers, Affirmative Action, Jessica Serna, Affirmative Action Manpower Compliance Officer, and I. Gilboa, Program Director, all of De Leuw/Greeley/Hyman.

Mr. Sklar addressed the HRC, saying the report of the HRC Design Staff represents the position of the Wastewater Management Program staff and the Construction Manager (CM) De Leuw/Greeley/Hyman. Approximately $250 million a year for the next seven to eight years will be expended in the construction of this mammoth wastewater treatment and disposal project for the City. As many as 40 contractors will be working on parts of the project. He said the HRC and others felt it crucial that managers of other firms set standards within their own operations as examples to the rest.

Mr. Sklar said the present CM staff was 42% minorities at all levels from top management to clerical. He said that professionals in field work included many minority people, chosen for their skill, expertise, and competency primarily, rather than their ethnic identification. Of the thirteen top managers of the project, two are minorities, as are 36 top professionals (engineers, for example). He did say that there was a disproportionately high minority representation at the clerical level, however.

Mr. Sklar also said that the agreement worked out with the HRC was breaking new ground on both the professional and construction side of affirmative action in a project of this scope and nature. He commended HRC staff work and repeated his unqualified enforsement of the agreement.

Mr. Vurek then reviewed the background and the agreement itself.

As reported in October, 1977, the HRC Design Staff has been in affirmative action negotiations with De Leuw/Greeley/Hyman, the Construction Manager (CM) for the Wastewater Management Program. To reiterate, problems arose relative to which agency should have responsibility for the implementation and enforcement of the affirmative action provisions of Chapter 12B of the City's Administrative Code. The Board of Supervisors has since passed, on October 24, 1977, a resolution (851-77) reaffirming the HRC's authority in matters involving affirmative action.

Since the CM was to supervise the total Wastewater project, the largest in the history of San Francisco, the HRC Design Staff felt the CM with a fulltime affirmative action staff could accomplish more in affirmative action than other firms which perform one specific function. The functions of the CM include supervising of design and construction, affirmative action recruitment, community and public information, budget and accounting, program management and clerical support. HRC-approved affirmative action programs with design firms usually include the following elements:

1. General statement of nondiscrimination in employment conditions in accordance with Chapter 12.B.

2. Agreement to disclose names of all subcontractors, dollar amounts of subcontracts and to inform subcontractors of their obligation to comply with Chapter 12.B.

-more-

3. Expanded recruitment efforts.

4. Goals for minority and women-owned business participation.

5. Specific goals for the hiring of minorities and women.

6. Agreement to utilize existing training programs.

7. Reporting requirements during the term of the agreement.

Hiring goals for minorities and women are established in the categories of professional, technical, and clerical for design firms. Professionals are usually experienced employees with professional degrees such as architects, designers, and engineers. The technical category usually includes draftspersons, engineering aides, etc., but has included inexperienced persons who held degrees. In these cases, the employee could advance to the professional level without additional schooling. The broad scope the CM's activities suggested that the HRC staff more closely analyze the structure of the CM's organization.

This analysis brought three additional categories into employment goals - management, professional supervisory and technical supervisory. HRC staff and the CM agreed to the following employment goals for minorities and women:

A. Management -- two ethnic minority males and two women;

B. Professional Supervisory -- twenty-five (25) percent ethnic minority males; ten (10) percent women, at least half of whom will be ethnic minority;

C. Professionals -- thirty (30) percent ethnic minority males; twenty (20) percent women, at least half of whom will be ethnic minority;

D. Technical Supervisory -- one ethnic minority or one woman;

. Technical -- forty (40) percent ethnic minority males; twenty-five (25) percent women, at least half of whom will be ethnic minority;

and

F. Clerical -- fifty (50) percent will be ethnic minority.

The City recognizes that it has a joint responsibility to cooperate and participate with the CM in attaining the foregoing goals.

Reference to training in affirmative action agreements has usually concerned participation with the Engineering Society's Committee for Manpower Training (ESCMT). Firms are not restricted to only using ESCMT. HRC staff realized that training is an extremely important element in increasing the number of minorities and women in the design fields, and that the CM, with its broad scope of work and the length of time involved in this project (estimated at 8 to 10 years), could make great contributions in this area of affirmative action. As a result HRC staff proposed to expand the training section, as follows:

Since training is an important element in the effort to bring minorities and women into the field of construction management, the CM agrees, subject to City approval, to undertake the following steps related to training:

a) The CM will locate a minority or a female student at the high school or college level exhibiting interest and/or potential in construction management and provide services which will include:

   1) summer and part-time employment,
   2) scholarship assistance through a college or a professional school.
   3) an offer of full-time employment upon completion of school program.

b) Provide employment for summer interns, high school and college age, with emphasis on minorities and women.

-more-

c) Institute individual programs of tuition reimbursement for current full-time employees, to assist them in selecting both field of work and appropriate classes.

d) Develop an internal affirmative action training program for supervisory personnel to insure effective implementation of the CM's affirmative action program.

e) When possible, hire one or more ESCMT trainees based on discussions between the CM and ESCMT staff.

The level of involvement with ESCMT will be based on the CM's ability to participate, and ESCMT's program resources and schedule of classes and consortia.

f) Institution of meetings with students at the high school level to acquaint them with the prerequisites for entry into the occupations included in the construction management concept, with emphasis on presentation by minority and female employees. These meetings will be arranged through contact with the school department.

The City recognizes that it has a joint responsibility to cooperate and participate with the CM in the training program described above.

Compliance with this provision will be based on monitoring and evaluation of the good faith efforts of the contractor.

With these changes in mind, the HRC Design Staff began a series of meetings with CM staff to negotiate an effective affirmative action program. CM staff included, at various meetings, two former affirmative action officers from the City's Wastewater Management Office, the Project Manager and Personnel Manager. During the course of negotiation meetings it became apparent that the CM, in spite of the Board of Supervisors' resolution, wanted to appear responsible for implementation of Chapter 12.B. Meetings were spent discussing differences on language, intent, specific goals and implementation. Agreement was reached on all points except business participation goals.

In reference to a proposed 5-10% goal for participation by women-owned businesses, the CM requested specific documentation supporting this goal. Such material is not available currently. HRC staff and the CM eventually agreed on language requiring the CM to maximize efforts to locate and engage the services of women-owned businesses. In addition, the CM agreed to accept the goal of 10-25% for minority-owned businesses recognizing that 10% was only a minimum.

The HRC staff feels the overall agreement, which will be part of the CM's work agreement with the City, can be the most effective affirmative action program negotiated with this type of firm. The goals for business participation and employment are highly satisfactory and attainable. The training provisions may provide the most benefit to minorities and women entering these fields.

Construction Management seems to be the current trend in large construction projects. CM firms supervise the total project including design and construction. HRC staff's affirmative action negotiations with such firms began with the Wastewater CM. During the period of those negotiations, the HRC Design Staff has also obtained agreements with other CMs:

1) Turner Construction Co., CM for Yerba Buena Convention and Exhibit Hall,

2) Sverdrup and Parcel, and Associates, Inc., and Stone, Marracini and Patterson - joint CMs for Airport Construction.

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Following Mr. Vurek's presentation, Commissioner Fine stated that Mr. Sklar should be thanked for his cooperative contributions to the working out of the Affirmative Action Agreement, which, he said, should be considered in the light of the tensions and unresolved status of the issue in August of 1977. He commended the Construction Management firm, Ed Vurek, Vicky Rathbone, and Essie Thomas of the HRC Design Staff, and Wayne Redus, Employment Coordinator.

**** Mr. Redus noted that all three members of the Design Staff are working under CETA (Comprehensive Employment Training Act) funding, and thus have contributed this invaluable work in affirmative action at no cost to the City as salaried employees.

- Commissioner Mezey added her praise for this work, and urged that public notice be made of this agreement.

Bob Covington from the audience asked what was the position taken in the agreement for what he called the "double-catch" situation where an entrepreneur is both a woman and a minority.

Mr. Redus responded that, recognizing that so far in affirmative action work women minorities have not benefited to the extent males have, the HRC position was that a woman minority entrepreneur would be listed under both categories.

Mr. Covington's second concern was about new business development and the solicitation of minority and women entrepreneurs.

Messers Brandon and Sloan addressed the (minority) business development question and said that there is a dearth of minority firms available in many of the project areas, and they described advertising efforts and other attempts to locate and bring in bids from minority entrepreneurs.

- Resolution Acknowledging the Work of Judith Teichman, Deputy City Attorney.

Ms. Teichman has been the counsel for the HRC from the City Attorney's Office since December, 1976. She has been re-assigned to other duties in the City Attorney's Office, and the Employment Committee recommended a commendatory Resolution, which was read in full.

It was then,

**** m/s/c that the HRC adopt the Resolution in Commendation of Judith Teichman, Deputy City Attorney. It was agreed that a copy will be sent to City Attorney-elect George Agnost. The full text is attached to these minutes.

- It was also agreed, on suggestion of Commissioner Mezey, that the HRC meet as soon as possible with Mr. Agnost in order to apprise him of what the legal needs of the HRC were expected to be in the near future to assist him in appointing a member of his staff as legal counsel to replace Ms. Teichman.

- Commissioner Fine reminded the HRC of its decision in late 1977 to convey with a personal delegation to Mayor Moscone its recommendations in its Principles of Affirmative Action in Employment and HRC Priorities in Employment adopted November 17, 1977.

Director Mickins said he had been in touch with the Mayor's Office on setting just such an appointment with the Mayor for the HRC delegation.

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YOUTH AND EDUCATION

Dis Recommended Endorsement in Principle of the San Francisco Unified School District Re-Entry Program with Inclusion of Youth & Education Committee Concerns.

Commissioners had been provided in advance with two documents, a description of discussions with Howard Clay, the District Supervisor of Attendance Services, on details of the Re-entry Program (to change the attitudes of school dropouts towards education, to improve their skills, and to increase their employability and/or ability to continue in education), and a listing of 11 concerns the Youth & Education Committee had expressed in its consideration of this issue.

Commissioner del Portillo stated a number of personal concerns about the HRC's endorsing the Re-entry Program. They included the question of confidentiality, the fact that, in her words, "the same people who set the policies or environment that contributed to dropouts will be in charge of the program," and, finally, what new and different methods or devices than those already in existence will be part of the program.

Commissioner Maxwell also expressed her opposition to the proposed endorsement, in that offering such a program to a small number of students was "detrimental to the majority." She said, "I do feel that poor students and minorities should be paid for every day that they go to school, because going to school for a minority person is definitely awfully hard work, and adults are paid all the time to go to school."

It was

**** m/s/ that the HRC endorse in principle the San Francisco Unified School District School Re-Entry Program in its application for funding to the Mayor's Office of Employment and Training with the provision that the concerns of the Youth & Education Committee be clarified and incorporated into a revised proposal.

The motion failed, 5 to 8. Commissioner Drummer abstained.

Commissioner del Portillo said she could not be a part of what keeps the San Francisco Unified School District at status quo, or endorse a program that does not address the core of a problem.

- Commissioner Solomon invited all members to attend the next meeting of the Youth & Education Committee on Thursday, January 19th at 3:30 p.m. in the Library of Cathedral House, Grace Cathedral at which the Re-Design Plan will be discussed in depth. A copy of the Plan proposed was provided each Commissioner.

- Commissioner del Portillo requested that the Youth & Education Committee agenda and other information be sent to the Puerto Rican Organization for Women.

**** At the suggestion of Commissioner Yamakawa, the HRC agreed that the Youth & Education Committee be asked to send its list of eleven concerns to the Re-entry Program to the School District and the Mayor's Office of Employment and Training without endorsement.

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Proposed Anti-Speculation Tax Ordinance Proposed by the San Francisco Housing Coalition.

Don Hesse, HRC Housing Representative, gave a capsule of current San Francisco housing concerns as considered by the Housing Committee, including escalating rents, the spiral of property purchase costs, the paucity of low-income housing, etc. He noted that a number of steps are considered as remedies or hopefully solutions to these and other problems, including rent guidelines, home ownership assistance plans, low-cost home rehabilitation programs, and rent control. The latter is called "second-generation" rent control, not that as in the City of New York where certain buildings, until they change hands, or tenants move out, cannot raise the rents for any reason beyond a level set many years ago.

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The rent control concept in California, he said, is rent regulation, which would allow owners to pass along costs of operation and maintenance.

Mr. Hesse said that the outrageous increases common to the City in recent years (50, 100, sometimes 150%) are, many feel, including Supervisor Feinstein, not reflecting rent-gouging policies, but are due to mortgage costs when properties are re-sold. That is, speculation purchase of property not for housing shelter or long-term investment but for quick re-sale (in anticipation of rapid price increases) has artificially inflated the cost of housing in the City.

He noted that many financing institutions have taken drastic steps to try to stop speculation. In Marin County, he said, some lending firms were requiring loan applicants to sign occupancy agreements; some firms are increasing the interest costs of loans. Mayor Moscone called for anti-speculation measures in his "State or the City" address. The State Legislature will soon be considering a number of bills addressing speculative housing practices. Supervisor Kopp has introduced legislation dealing with housing speculation at the Board of Supervisors.

Mr. Hesse said the San Francisco Housing Coalition was formed in September of 1977 to try to address and respond to the housing crisis. One of a series of pieces of legislation it has developed is a progressive tax of profits made on real estate sales in the City depending on the length of time the property were owned.

Mr. Hesse emphasized the following points from the synopsis of the anti-speculation tax proposal provided each Commissioner, plus a copy of the proposed ordinance.

- The proposed tax is on profits, not on proceeds of a sale.

- the tax is based on the length of time the property has been held.

- the proposed ordinance should not affect homeowners who purchase for their families' shelter or for long-term investment.

A number of people spoke on this issue:

Bob Covington, citizen, president of the Federation of Ingleside Neighbors, and a member of the San Francisco Black Political Caucus, and the Coalition.

Mark Freeman, Housing Rights Study Group and the Coalition.
Frances Warner, Housing Law Project.
Ed Crocker, from the East Bay Neighborhood Legal Assistance Foundation.
Jack Peterson, representative of Robert Amore, a member of the HRC Housing Committee and of the San Francisco Real Estate Board.

Mr. Covington spoke at length about the Ingleside neighborhood and the effect on its residents of housing speculation. He said when long-term residents sell their homes there, most are not to families which move in, but to persons who convert houses into rentals, with frequent turnovers, and with substantial rent increases at frequent intervals. He said it was very difficult for Third World people to resist selling homes for which they had paid relatively modest prices a few years ago for 100% profits, and that, in his words, "people are being bought out of San Francisco."

Mark Freeman reviewed in some detail the findings of a study group formed to find out the effect of real estate conditions (rent increases, many sales, etc) in nine neighborhoods in the City on the relationships of gay and nongay people. These findings are contained in a long article called, "Who's Moving?", copies of which were provided the Commissioners. He read excerpts from interviews published in the article on such issues as: double and quadruple rent increases, speculative real estate turnover, "trading up" practices by which taxes on sales are avoided by fast turnover, escalating property taxes (whereby all buildings on a block are re-assessed upwards whenever one may be sold at a vastly-inflated price).

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Mr. Freeman's conclusions included:

- the belief by some that "downtown" financial, entertainment, and service interests have encouraged real estate practices which would change the basic resident makeup of the City from its past predominately white and minority laboring, union-member composition to white-collar, service, semi-professional non-union, single people .

Jack Peterson, representing Robert Amore, said that he agreed that there was a housing problem, but he did not agree with the solution as contained in the proposed anti-speculation tax.

Mr. Peterson said the proposal will be an "overkill" and "create devastation in the City, "with adverse effects on low and moderate-income people. He concurred in the fact that there has been speculation in San Francisco, and he said also that inflated housing costs were a serious problem nationally.

"I think the speculator fulfills a vital function in any economic position or market situation that is relatively free, " he said. In San Francisco he said, when someone buys a piece of property to develop (a term he said can be used interchangeably with speculate), it is usually because it needs development, and jobs are created as a result.

Mr. Peterson said he thought that inflation stems from, to some extent, an "unbalanced federal government." San Francisco speculators, he said, follow the market, but they do not create it. He said also that he felt most of the speculation wave had peaked in San Francisco in recent months, and that there are many more properties listed for sale than there have been. He said that for every "horror story" (of greatly-increased rents, for example, or of huge profits in a short period of time) there are hundreds of normal transactions that take place.

Chairperson Yamakawa and other Commissioners asked what the vote to recommend HRC endorsement of the Housing Coalition's proposed anti-speculation tax ordinance had been on the Housing Committee.

Mr. Hesse said there had been one yes vote, one no vote, and several abstentions, after hearing both sides of the issue, and that on its recommendation the Coalition had amended the proposed ordinance to exclude new construction.

Commissioner Maxwell said that the Committee had been concerned about the use of the tax money generated, the creation of a commission to administer the ordinance, etc.

It was

**** moved that the HRC endorse the anti-speculation ordinance as proposed by the San Francisco Housing Coalition.

*** Commissioner Mezey then moved to table action until the January 26th meeting of the HRC. She said she was sympathetic to the proposed ordinance but felt the HRC should have more time to consider it in detail.

- Commissioner Zarour said Commissioners should have more material to consider, including copies of the Mayor's and Supervisor Kopp's proposed speculation legislation.

**** Commissioner's Mezey's motion to table action until the January 26th HRC meeting was then seconded and passed.

- Proposed Resolution on Surplus School Properties Disposition

Copies of this proposed Resolution were provided Commissioners in advance. It would have urged (on behalf of the HRC) that the School District's "Surplus Property Advisory Committee, when it finds that community use of vacant school sites is not feasible, to give priority to proposals calling for housing either by conversion or new construction, and to cooperate with public agencies and community organizations in preparing proposals for housing for low and moderate-income families, handicapped, and elderly persons."

Mrs. Robert Denebeim, of the Surplus Property Advisory Committee, addressed the HRC on the proposed Resolution from the audience. She said, "We have never discussed this subject (disposition of "many" parcels of land or use of vacant school sites) at any time and it has never been on our agenda." She said the committee has no position on the issue. She said she felt that perhaps the members of the committee who had spoken to the HRC Housing Committee had been reflecting personal opinions on the imminent availability of vacant school sites and their possible disposition by the District. She said in her opinion the proposed Resolution was premature and that the subject needs further study.

Mrs. Denebeim said that the Resolution as an expression of the HRC's position was one thing, but that to give the impression that the Surplus Property Advisory Committee had taken any position was incorrect.

It was then

**** m/s/c that the HRC adopt the Resolution on Surplus School Properties Disposition. The full text is attached to these Minutes.

NEW MATTERS

- Commissioner Maxwell announced a March to honor the memory of Dr. Martin Luther King, Jr., on Sunday, January 15th, starting at 2 p.m. in the Panhandle extension of Golden Gate Park, with services at 3 p.m. at the Third Baptis- Church.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, January 26, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, January 19, 1978 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, February 7, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To be announced
Police Liaison	Tuesday, January 17, 1978 4 P.M. Main Library - Lurie Room Civic Center - San Francisco
Social Programs	To be announced
Youth & Education	Thursday, January 19, 1978 3:30 P.M. Thursday, February 2, 1978 3:30 P.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

GSM: JC:pa (1/18/77)

Resolution of the Human Rights Commission of San Francisco in

Commendation of

Judith Teichman, Deputy City Attorney

WHEREAS, Judith Teichman, as a Deputy City Attorney, has provided counsel to the Human Rights Commission since December, 1976; and

WHEREAS, Judith Teichman has rendered legal services of the highest caliber, in the office and in the courtroom, on behalf of the Human Rights Commission; and

WHEREAS, Judith Teichman has shown an acute awareness of and sensitivity to the needs of both the Human Rights Commission and staff in the client-attorney relationship; and

WHEREAS, the Human Rights Commission takes special notice of the sacrifice, diligence, and commitment which have characterized the work of Judith Teichman;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission express its regret that Judith Teichman will no longer represent the Human Rights Commission within the City Attorney's office in handling the HRC's legal work, and that the HRC express its collective and personal best wishes for her success in fulfilling the new responsibilities given her by City Attorney-elect George Agnost.

Resolution 1-78

Adopted by the HRC 1/12/78

klh
1/17/78

HUMAN RIGHTS COMMISSION

RESOLUTION ON SURPLUS SCHOOL PROPERTIES DISPOSITION

WHEREAS, San Francisco has historically suffered from a shortage of housing, especially housing available to low and moderate-income families, the handicapped, and elderly persons; and

WHEREAS, the City has very little vacant land remaining to be developed and is in the process of further reducing its housing potential by amending the residential zoning regulation; and

WHEREAS, The Fair Housing Planning Committee, in its report on segregated housing patterns in San Francisco, called for establishing a bank for public lands and air rights with priority for low and moderate income where suitable; and

WHEREAS, it is the policy of the City and County of San Francisco as expressed in the 1978 Community Development Program to require that new assisted housing projects promote economic and racial integration and this policy can best be implemented if there are adequate parcels of land available throughout the City; and

WHEREAS, the San Francisco Unified School District has experienced declining enrollment resulting in the availability of school properties for other uses, and the Board of Education has appointed a Surplus Property Advisory Committee which is holding public hearings on the use or disposition of these properties; and

WHEREAS, neighborhood and community groups are seeking to lease some of these properties as community centers for the arts, children and senior programs, and other public uses;

NOW, THEREFORE BE IT RESOLVED that the Human Rights Commission urges the Surplus Property Advisory Committee, when it finds that community use of vacant school sites is not feasible, to give priority to proposals calling for housing either by conversion or new construction, and to cooperate with public agencies and community organizations in preparing proposals for housing for low and moderate-income families, handicapped, and elderly persons; and

BE IT FURTHER RESOLVED that the Board of Education act to preserve the public ownership of all surplus real properties, through conditional sales to public entities or leases without options to private developers, so that such lands will remain available for public benefit in the future.

Resolution 2-78

Adopted by the HRC 1-12-78

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1-17-78

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1/26/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

FEB 10 1978

Minutes of the Meeting of January 26, 1978

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**************************************
*  NEXT MEETING:   Thursday          *
*                  February 9, 1978  *
*                  9:15 A.M.         *
*                                    *
*  Commission Room, Third Floor      *
*  Main Library, Civic Center        *
**************************************
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W. R. Drummer, Sister Bernadette Giles, Antonio Grafilo, Sylvester Herring, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Rabbi Alvin I. Fine, Phyllis Lyon

Staff

Present: Grant S. Mickins, Chester Chew, Jo Daly, Luis Escobar, Don Hesse, Stanley Lim, Joe Meza, David Prowler, Wayne Redus, Gail Roberts, Jose Robles, Emmett Rosebrough, Essie Thomas, David Treanor.

Pledge of Allegiance

The Minutes of January 12, 1978 were approved.

CORRESPONDENCE

- From George M. Shaw, Conference Coordinator, University of California Extension, announcing a West Coast conference, "Human Rights and U.S. Foreign Policy," to be held February 24th - 25th, Freeborn Hall, U.C., Davis, Davis, CA. 95616.

- From Mayor George R. Moscone, a request for data on the services the HRC offers senior citizens of the City. The Commission on Aging is compiling a report of City departmental services to seniors.

- From Mayor Moscone, a copy of an inter-departmental memorandum regarding negotiation of working conditions and benefits for City employees for fiscal 1978-1979; and requesting cooperation with the Employee Relations Division in preparing the City's position.

- From John C. Farrell, Controller, requesting each City department for information on any work or service that can be performed at a lower cost under private contract to the City.

- To new Supervisors Lee S. Dolson, Ella Hill Hutch, Dan White, Carol Ruth Silver, Harvey Milk, and Gordon J. Lau, a copy of the HRC's most recent Annual Report and a letter welcoming them to their new position and duties.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, writing at the direction of Supervisor Quentin L. Kopp, whose "urgent recommendation" was that all City departmental budgets "be submitted in such a manner as to readily enable the City to adjust to whatever..reductions may be necessary if the proposed Jarvis property tax limit initiative on the June 6th ballot is successful."

-more-

- From Maria Galatti, President, Vida Foundation, Citizens for Neighborhood Initiated Senior, Disabled & Handicapped Housing, thanking Director Mickins for his support on a housing issue with the San Francisco Redevelopment Agency.

- From Rodney W. Fye, a copy of a letter (read in full and circulated to Commissioners) sent to the San Francisco Chronicle, with copies of the Real Estate Board, the Board of Supervisors, Apartment House Associations Consolidated, and Apartment House Industry of San Francisco, taking issue with an article by Warren Hinckle on real estate speculation that was printed in the Chronicle.

- From Susan G. Tannenbaum, Assistant Counsel, Bank of America, enclosing copies of memoranda pertaining to a complaint case filed by a former employee of the Bank of America with the HRC. Director Mickins said this case is still under submission.

NOTE: BECAUSE OF THE STAFF RECORDER'S ILLNESS, THE FOLLOWING SECTIONS OF THE MINUTES WILL BE IN FAR LESS DETAIL THAN THEY ARE NORMALLY.

STANDING COMMITTEES

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Endorsement of (proposed) San Francisco Unified School District Counseling/Educational Centers: Dr. John Cleveland, Associate Superintendent, Office of Instruction.

Commissioner Giles stated that Dr. Cleveland had been invited in response to some of the concerns expressed by some members of the HRC at its meeting of January 12th about the formation of the Counseling-Educational Centers, e.g., that they would become "dumping grounds" for difficult students; that they would be staffed by persons insensitive to needs of minority students; or that they would become "dumping grounds" for incompetent teachers.

Dr. Cleveland developed the proposed Counseling-Educational Centers plan with the cooperation of the Emergency Evaluation Center, Pupil Personnel Services, San Francisco Unified School District.

Dr. Cleveland noted that this proposal was one of a number made by the SFUSD in response to the HRC's Suspensions Report (and recommendations) of 1977 to the Board of Education. He then discussed the proposed Counseling-Educational Centers in detail, concentrating on the key component of working with students who are having difficulties under the present disciplinary system, through diagnosis, counseling tailored to specific schools, consultation with parents, etc., rather than suspending them.

Dr. Cleveland responded to both general and specific questions from the members of the HRC, including Commissioners Morrissey, Maxwell, Solomon, Silva, and del Portillo. The latter Commissioner made a number of point-by-point criticisms, referring to the copy of the Cleveland proposal, and stated that she, at that point, felt she could not vote for HRC endorsement, nor tell her community that she felt it was to its advantage. Dr. Cleveland said staff for the proposed centers was to be screened by community people. Dr. Cleveland said he would be glad to take back to the School District, if the HRC did endorse the proposed Centers' plan, any further recommendations or concerns it had about it.

Commissioner del Portillo's recommendations that:

1. Dr. Cleveland personally supervise the project, and
2. That there be quarterly reporting on the project,

**** were accepted by Commissioner Giles, proposer of the Resolution of Endorsement, with the change to periodic reporting in 2., rather than quarterly, and it was

**** m/s/c that the HRC adopt the Resolution Endorsing the (Proposed) San Francisco Unified School District Counseling/Educational Centers as amended. A full copy of the Resolution is attached to these Minutes.

DIRECTOR'S REPORT

- Visit of the Grand Jury

Nearly three hours were spent recently by members of the Grand Jury (Edward J. Sosa, Ms. Jane F. Reeve, and Robert J. Smith) studying the HRC with Director Mickins reviewing the work of the HRC. They will later attend a regular HRC meeting.

SPECIAL ORDER

- Public Comment on the HRC's 1978-1979 Proposed Budget.

A copy of the HRC's Budget Summary was provided in advance to the members of the HRC and in their meeting packets. It showed a breakdown for Permanent Salaries, Commissioners' Fees, Contractural Services, Materials & Supplies, Employees' Car Travel, Equipment, Rental, Memberships, and Services of other Departments and Fringe Benefits for: the 1976-1977 Fiscal year, expended ($330,175); for 1977-78 Fiscal Year, Actual Budget ($332,101); and for the 1978 Fiscal Year as requested, ($792,856). The request for the past Fiscal Year was some $798,000 (1977-78), Mr. Mickins noted. Current staffing level is 33 persons (13 permanent Civil Service employees, plus 20 CETA-funded employees). CETA (The federal Comprehensive Employment Training Act) is the only outside staff funding the HRC receives. Mr. Mickins pointed out that many of the CETA employees have been with the HRC for up to five years, and are performing valuable professional and clerical services to it. The current budget request seeks 37 permanent positions. Five positions previously sought (for persons working as professionals in the Wastewater Management program Affirmative Action monitoring) are being requested again.

Mr. Mickins also discussed other aspects of the Budget Summary for the 1978-1979 Fiscal Year.

The Chair then asked if any members of the public present wished to speak on the proposed budget. There was no response.

It was then, after further discussion,

***** m/s/c to adopt the Budget Summary of the Human Rights Commission.

- A meeting is scheduled for February 16th at 9:30 a.m. for the HRC Director and Commissioners represented to discuss the proposed budget by the HRC with the members of the Mayor's Office staff.

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Discussion on the San Francisco Housing Coalition's Proposed Housing Anti-Speculation Tax Ordinance (continued from the HRC meeting of January 12th)

Don Hesse, the HRC's Housing Representative, briefly reviewed the proposed ordinance and the HRC discussion of it on January 12th. He reported that the Coalition had met January 23rd with representatives of the Office of Community Development who said that they had intended to use the Coalition's proposed ordinance as a model for proposed legislation. Further Coalition/City housing-connected departments meetings are scheduled, he said.

-more-

Copies of a proposed anti-speculation ordinance by Supervisor Quentin Kopp were circulated to the HRC. It was discussed at a recent meeting of the Finance Committee of the Board of Supervisors. Consideration of it was put over to the Finance Committee meeting of February 8th, after the Mayor's Office and others made this request, noting the San Francisco Housing Coalition's proposed ordinance.

Present at this meeting in the audience were: Samuel Duca, of the City Assessor's Office, Calvin Welch, of the San Francisco Housing Coalition, Glenda Skiffer of the City Planning Department, and Robert Amore and James Fabris of the S.F. Real Estate Board. Members of the Mayor's Office staff and the City Attorney's Office, as well as Supervisor Kopp, had been invited to attend this HRC meeting.

Mr. Hesse pointed out (via copies of an article from Business Week magazine) that many areas of the country are considering and passing legislation in response to real estate speculation, and that ultimately legality questions would be settled in the courts.

There followed a period of discussion on various points of the proposed anti-speculation tax ordinance, with Calvin Welch, of the San Francisco Housing Coalition, responding from the audience to Commissioners' questions.

Commissioner Mezey suggested, and it was

***** m/s/c that the proposed HRC endorsement action be amended to provide that HRC staff be allocated to continue to work with the Mayor's Office, the Department of City Planning, and other groups in achieving a piece of legislation as close to the proposed Housing Coalition ordinance as possible that can be endorsed by many groups before introduced to the Board of Supervisors.

Commissioner Mezey asked that the Minutes show that the intent of her amendment was not to water down the proposed ordinance, but to work out loop holes and language that can be endorsed by as many groups as possible so that it stands its best political chance.

Commissioner Morrissey commented that he would not object to the proposed anti-speculation ordinance as a revenue measure, but he doubted that it would... obtain the result that is intended. He said that he has seen past attempts to control wages and prices and has yet seen one that has been "very effective." He said also that he doubted that HRC action would be timely, and that most likely the speculation in San Francisco real estate has peaked.

To Commissioner-expressed misgivings that some basic changes in the proposed ordinance might be forthcoming after their endorsement of it in its present form, Don Hesse said he would try to keep them informed of all changes made as soon as they were made. Chairperson Yamakawa said that this item should appear on forthcoming HRC agendas so questions as to any subsequent or substantitive changes could be asked by Commissioners.

It was then,

**** m/s/c that the HRC endorse the San Francisco Coalition's Proposed Housing Anti-Speculation Tax Ordinance.

- Youth and Education Committee Response to the Proposed San Francisco Unified School District Educational Redesign.

Members of the District staff were present for an in-depth discussion of this plan at the Youth & Education meeting of January 19th. Individual members attended many of the community meetings in the City, served on the Citizens Advisory Committee, etc.

The Committee has made twelve specific recommendations, sent in a January 23rd letter to Dr. Robert F. Alioto, Superintendent of Schools. This action was taken because the Superintendent's Educational Redesign Task Force began incorporating community suggestions and recommendations on January 23rd. The full HRC was asked if it wished to make additional suggestions or recommendations.

-more-

- At this point, Commissioner del Portillo read a Resolution Supporting Bilingual Community Council Recommendations proposed by Commissioner Silva, who had left the meeting. The final paragraph would state that the HRC "support the Bilingual Community Council's efforts in promoting the implementation of the Master Plan and oppose any part of the Educational Redesign that violates the Lau vs. Nichols Consent Decree."

Commissioner del Portillo moved (adoption of) this proposed Resolution and there was a second.

Commissioner Mezey said she wished to speak against its adoption, noting that the HRC, after months of work in the past, did not endorse the Master Plan and she urged that it consider those components in it which it would now be asked via the proposed resolution to endorse.

There followed a long discussion touching on components of the Master Plan, on the Youth & Education's Committee twelve recommendations as already transmitted to the District, on the Redesign Plan components, etc.

It was

***** m/s/c that the del Portillo (on behalf of Silva) motion to adopt the proposed Resolution Supporting Bilingual Community Council Recommendations be referred to the Youth & Education Committee for further consideration and recommendation.

Chairperson Yamakawa also referred to the Youth & Education Committee Commissioner Herring's suggestions that persons from the School District concerned with the Redesign proposal be present when the HRC discusses a proposed endorsement.

- At this point Commissioner Herring asked that the HRC go into closed Executive Session to discuss a personnel matter.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, February 9, 1978 at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

THE MEETING WAS ADJOURNED

STANDING COMMITTEES

Employment	Thursday, February 16, 1978 9:30 a.m. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, February 7, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To be announced

Police Liaison	Tuesday, February 21, 1978 4 P.M. Main Library - Lurie Room Civic Center - San Francisco
Social Programs	To be announced.
Youth & Education	Thursday, February 2, 1978 3:30 P.M. Thursday, February 16, 1978 3:30 P.M. Grace Cathedral Grace Cathedral - 1051 Taylor Street

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa

Attachment: Resolution Endorsing the (Proposed) San Francisco Unified School District Counseling/Educational Centers

2/3/78

Resolution of the Human Rights Commission of San Francisco

Endorsing the (Proposed) San Francisco Unified School District

Counseling/Educational Centers

WHEREAS, suspension is the most widespread, discriminatory, and often arbitrary disciplinary device used by public schools today to exclude children from schools; and

WHEREAS, suspension is the triggering device for children dropping out of school, unemployed, unemployable, and with no job training; and

WHEREAS, students in general, and Black students in particular, who are suspended, are academically deficient; and

WHEREAS, SFUSD statistics on suspensions reveal the highest percentage of suspensions is in the areas of insubordination and defiance of authority; and

WHEREAS, the goal of the proposed Counseling/Educational Centers (CEC) would address itself to assisting students and parents in coping with stress situations in order to prevent future suspensions in this area; and

WHEREAS, these centers would be used for temporary placement and in prevention/diversion of distressing behavior problems; and

WHEREAS, four centers, one for each district area, will provide counseling and educational services for approximately 25 students for up to 60 days; and

WHEREAS, an inter-disciplinary approach including coordination of interagency community services will be utilized; and

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco endorse the proposed Counseling/Educational Centers, An Inter-Disciplinary Approach to Decrease Suspensions in the San Francisco Unified School District, with Dr. John Cleveland, Associate Superintendent, Office of Instruction, responsible for staff selection and for preparation of periodic reports on the progress of the Centers to the Youth and Education Committee of Human Rights Commission; and

FURTHER, BE IT RESOLVED that the Human Rights Commission support the SFUSD's application for funding to the San Francisco Foundation.

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Resolution 3-78 Adopted by HRC 1-26-78 2/3/78 klh

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of February 9, 1978

****
* NEXT MEETING: Thursday *
* February 23, 1978 *
* 9:15 A.M. *
* *
* Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W. R. Drummer, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon.

Excused: Rabbi Alvin I. Fine, Dan Silva, Nadim Zarour.

Present: Grant S. Mickins, Frank Anderson, Pauline Anderson, Jack Casford, Chester Chew, Luis Escobar, Alberta Grant, Don Hesse, Julianne Jones, Stanley Lim, Grace Markham, Joe Meza,David Prowler, Wayne Redus, Gail Roberts, Jose Robles, David Treanor, Jeffrey Wong.

Julianne Jones is a San Francisco State University employment studies student interne with the HRC this semester.

Pledge of Allegiance

Minutes of January 26, 1978 approved. Commissioner del Portillo wished to re-emphasize the two recommendations she offered to the HRC's endorsement of the proposed San Francisco Unified School District Counseling/Education Centers (that Dr. John Cleveland personally supervise the project, and that there be periodic reports on the project to the HRC). Gail Roberts, staff for the Youth & Education Committee, said those two points were made in the letter transmitting the HRC endorsement to the SFUSD.

CORRESPONDENCE

- From Mary Ann Aronson, Forum Committee, Leagues of Women Voters (of the Bay Area), announcing the third in a series of four Forums on the Urban Crisis in the Bay Area. This will be on Saturday, February 11, 1978, entitled "Urban Crisis: The Suburban Connection," beginning at 9 A.M., Olney Hall, College of Marin, Kentfield, CA. Information, in San Francisco, 986-0480.

- From Jacquelyn Gardner-Coleman, Assistant Professor, University of San Francisco, to Commissioner del Portillo, inviting her to serve on an Advisory Committee to the Educational Psychology/Counseling Department.

- From Walter L. Scott, II, Executive Director, San Francisco Housing Authority, to Gail Roberts, informing that federal surplus funds through the U.S. Department of Labor for the Summer Recreation Support Program will not be available this year, and urging that the need for such funds be communicated to federal sources, since the Housing Authority's budget cannot provide the money.

-more-

- From Mayor Moscone and Roger Boas, Chief Administrative Officer, a copy of a memorandum to all chairpersons of all boards, commissions, administrative department heads, and division management personnel, announcing the formation of a five-person Management Assistance Group within the Mayor's Program/Budget Office to "provide management assistance leading to increased efficiency, productivity improvements, or enhanced effectiveness."
- From Joan Dillon, President, Civil Service Association Local 400, soliciting Director Mickins' support for the appointment by the Governor of Vince Courtney as a labor member of the California Library Services Board. This was a letter urging Director Mickins' action as an individual, and not aimed at the HRC, which follows an established Policy on Endorsements.

- From Linda Patterson, International Peoples Appeal, a form letter announcing a fund-raising presentation of a documentary film on Appalachian coal miners to be presented March 25th at 8 p.m. at Longshore Hall, 400 North Point, San Francisco.

- From Marie Sharp, Chairperson, Conference Planning Committee, announcing the Fifth Annual Statewide Conference of California Community/Human Relations Commission to be held April 13th through 16th at Griswold's Inn, Claremont, CA., co-hosted by the cities of Claremont, Ontario, and Pomona Community Relations, Box 660, Pomona, CA. 91769.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, at the direction of Supervisor Harvey Milk, requesting a report of the circumstances involved in the recent suspension of a member of the HRC staff. Director Mickins said the response to Supervisor Milk would be a copy of the Director's report to the Mayor on this subject.

DIRECTOR'S REPORT

- Salary Standardization for HRC Professional Permanent Staff

The Civil Service Commission staff recommendation for the HRC's seven permanent professional staff members for the next fiscal year is for a 5% increase. Director Mickins said this is approximately 15 to 20% below what professionals doing the same work in some other jurisdictions currently are being paid. The last fiscal year recommendation of zero increase in the HRC salaries was changed only after vigorous advocacy discussions by members of the HRC with the CSC. Also, for the next fiscal year the CSC staff is recommending the creation of three Affirmative Action professional positions within the CSC itself, at recommended salaries 20 to 30% higher than the HRC's Affirmative Action staff. Protests to this action by the CSC were sent by staff and community people, and it was postponed from the CSC's February 6th meeting agenda to its February 21st meeting, which will be in the Lurie Room of the Main Library on Tuesday, February 21st at 2 p.m.

There followed discussion about this issue, culminating in the HRC's action (after voting to consider an action not on the agenda) to

**** m/s/c that the Chairperson of the HRC write to the Chairperson of the Civil Service Commission in support of the HRC staff protest calling for salary parity between the HRC benchmark class (Class 2996, Representative, Human Rights Commission) and related classes, and the proposed new series of affirmative action classes within the Civil Service Commission staff, and requesting that the Civil Service Commission review this matter in consultation with HRC staff and Civil Service Association Local 400 in order to produce an equitable proposal providing equal pay for equal work.

- HRC Budget Review

A report was made regarding the Employment Committee's discussion of the proposed HRC budget for fiscal 1978-1979, and its resolve that the HRC committee members and members of the HRC should be active in urging official support for the HRC budget request and needs.

-more-

Director Mickins announced that the HRC delegation will meet on Thursday, February 16th with the Mayor's Office at 9:30 A.M. to discuss its budget request.

- Staff Review of City Administrative Code Chapters 12A,12B, and 12C.

Director Mickins announced that members of the HRC staff are preparing for a full-scale presentation to the HRC at its regular meeting of February 23rd on its obligations and work as mandated under Chapters 12A, 12B, and 12C.

- Mayor's Commitment to Receive HRC Delegation to Discuss Principles of Affirmative Action.

This long-delayed meeting, sought in order to present and discuss in detail the HRC's Principles of Affirmative Action, still has not been set by the Mayor's Office, though a promise to do so was made to the Director one week ago.

- Show-Cause Hearings Upcoming.

1. John David Carter v. Bank of America: Director Mickins has reported before on his issuance of a Finding of Violation of Chapter 12B on December 13, 1977, in favor of the complainant who charges he was fired after 18 years as a bank management auditor because of his sexual orientation. The Bank of America has formally requested time to submit supplemental documenation (under review by the Director forthe past week) to the HRC before a date is set for a show-cause hearing.

2. Minority Contractors Association of Northern California v. W & B (Williams & Burrows Inc.) General Contractors, and their sub-contractor B&F Concrete Contractors. Director Mickins issued a Finding January 9, 1978, in favor of the plaintiffs' charge that B&F was not a bonafide minority contractor. W & B has requested a show-cause hearing of the HRC, but has asked (and received) a delay of 30 days before a date is set.

- New Attorney for the HRC

City Attorney George Agnost has named Ms. Jonell Biancalana, Deputy City Attorney, as the attorney to represent the HRC.

STANDING COMMITTEES

ADMINISTRATIVE
Caryl Mezey, Chairperson

- Proposed Policy on Public Disclosure.

The Mayor has asked that all City department heads to develop a written policy on public disclosure. The City Attorney's Office currently is drafting for all City departments an overall written policy on public disclosure. The HRC will wait until that has been produced to see if it needs to add to it in any way to meet its special needs.

- Procedures for HRC Committee Selections

Rule 21 of the HRC's Rules and Regulations reads, in part; "The Committees of the Human Rights Commission shall be composed of Commissioners and other members, appointed by the Chairperson of the Human Rights Commission for one-year terms." The Committee is aware that re-appointments to the (standing) committees are made routinely by staff without review, and will recommend that (for a vote on February 23rd) that Rule 21 be amended to the effect that committee assignments will run from March 1st to March 1st (beginning in 1979). This would accomplish two things, the Administrative Committee feels:

1. It would give the HRC Chairperson time to appoint Commissioner members to the standing committees.

2. It would encourage the Chairperson of the HRC and the standing committee chairpersons to review the make-up of committees with staff for

balanced representation.

- Director Mickins will provide each member of the HRC with a copy of Rule 21 of the Rules and Regulations, and full copies of the Rules to those Commissioners who need them.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Committee Response to the Educational Redesign plan of the Superintendent of Schools - Speakers from the San Francisco Unified School District Staff:

Isadore Pivnick, Assistant Superintendent, School Operations; Carlos Cornejo, Coordinator, Curriculum; and Raymond del Portillo, Director, Bilingual Department.

Commissioners had been provided in advance with the text of the formal Committee response, after analysis, to the Educational Redesign plan. Its concerns were on three basic points: concern over the proposed method of school desegregation based only on goals; possible outcomes for Bilingual Education programs in the implementation of the Educational Redesign; and concern that the "time line" adopted by the Board of Education for implementation be "consonant with all deliberate speed in implementing the plan while at the same time assuring adequate time for staff development and curriculum preparation..."

Messers Pivnick, Cornejo, and del Portillo then responded to questions from the Commissioners. Questions were posed by: Commissioners Morrissey, del Portillo, Maxwell, Mezey, and Herring, and covered many concerns, including:

from Commissioner Morrissey,
- whether evidence exists that integrated education has improved the quality of education received by the disadvantaged and/or ethnic students. Mr. Pivnick cited John Swett School's greatly improved test scores and higher parent participation and expectations, since integration,as evidence of this.

- whether evidence exists showing a higher standard of achievement in elementary schools since integration. Mr. Pivnick said data exists showing that the instructional level has improved significantly since integration.

from Commissioner del Portillo,
- need for assurance that there be "democratic outlook" towards the participation of those teachers and administrators who spoke in their communities regarding Educational Redesign.

- what the SFUSD will do to monitor the areas adjacent to Mission High and Everett Junior High schools to "minimize" drug pushers, etc.

- what will be done to alleviate tensions between uniformed Roman Catholic school students and students at Everett.

- whether children now in Bilingual Education will continue in such programs if they are moved.

- how education at Mission High will improve under Educational Redesign.

from Commissioner Maxwell,

- whether there are studies on parent participation in schools before integration.

- what level of education exists for nonminority students.

-

- the educational ignorance of white people about the culture and language of blacks.

- whether studies exist on transportation distances of children in Roman Catholic parochial schools.

- the need to re-educate white people.

Mr. Pivnick made responses to each of these items, including such comments as:

- there have been no "reprisals" regarding teachers or administrators who spoke reflecting community concerns about the Educational Redesign.

- the SFUSD will taken into consideration Commissioner del Portillo's monitoring concerns for the area between Mission and Everett.

- children now in a Bilingual Education program who are "re-programmed" back to neighborhood schools will have access to continuing bilingual education, but every school will not have such a program, depending on student body need.

- before integration, parent participation was limited partly because of the numbers of working parents in the segregated school areas. They did participate, however, when night meetings were held, especially with children performing.

- there is a continuing need for the education of both nonminorities and minorities to learn of the contributions of all ethnic people.

Carlos Cornejo discussed at great length the general subject of raising the quality of education in the SFUSD. He cited components of the Educational Redesign plan designed to do this. His remarks were halted at one point to hear several specific concerns of Commissioner del Portillo regarding Mission High School:

if teachers will be retrained, if attendance will be monitored, the presence of individualized instruction, methods of measurement of growth, the problems of functional illiterates being graduated, etc.

Mr. Cornejo was asked by the Commissioner to describe how Educational Redesign addresses these concerns, and his response was also at great length.

from Commissioner Herring,

- what policy pertains to teachers whose classes consistently contain students who need to be retained (not promoted, and given additional instruction). Mr. Pivnick said a teacher evaluation plan is being drafted by the Superintendent's Personnel Officer in conjunction with teacher organizations.

- problems regarding attendance vouchers, whereby students avoided being bused into Benjamin Franklin School and into Hunters Point. Mr. Pivnick said the Superintendent plans that attendance permits will have to be approved by the Board of Education in open meetings, with alternative and magnet schools available, however.

Subsequent discussion, with contributions and comments by Commissioners Mezey and Giles, in addition to those cited above, and by the three members of the School District staff, was wide-ranging and lengthy, touching on both major issues of education and specific details of the Educational Redesign plan.

It was then,

**** m/s/c that the HRC endorse the Youth & Education Committee's response to and concerns about the Educational Redesign plan of Superintendent of Schools Robert F. Alioto, and that they be sent to him in the form the Committee had drafted and discussed at this meeting.

-more-

- Response to proposed Resolution Supporting Bilingual Community Council Recommendations.

Commissioner Silva had asked Commissioner del Portillo at the January 26th HRC meeting to introduce for HRC action a Resolution Supporting Bilingual Community Council Recommendations. It would have had the HRC "...support the Bilingual Community Council's efforts in promoting the implementation of the Master Plan and oppose any part of the Educational Redesign that violates the Lau v. Nichols Consent Decree."

The Youth and Education Committee at its meeting February 2nd voted to take no action on the proposed resolution in light of the revised Superintendent's Educational Redesign and because of the specific inclusion of Bilingual/Bicultural Education (Lau v. Nichols). The Youth and Education Committee did vote to invite Art Tapia, Chairperson of the Bilingual Community Council, to attend its next meeting, February 16th, in order to discuss the concerns of the Council.

No formal action was taken by the full HRC on this "no action" move by the Committee, but, at the suggestion of Commissioner Giles, it was understood that this would be the public response of the Youth & Education Committee to the proposed resolution.

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Status Report on the Proposed Anti-Speculation Tax Ordinance - Don Hesse.

This proposed ordinance, endorsed January 26th by the HRC, still has not been acted on by the Board of Supervisors. The Housing Coalition, including HRC staff, met recently with staff from the City Planning Department and the Mayor's Office of Community Development to explain the proposed ordinance in detail. They were in general agreement with its provisions.

The City Attorney has been asked by Supervisor Kopp if an 80% tax (proposed to be applied to the profits obtained for sale within the first six months after purchase of property) is illegal. The City Attorney has said informally that is not known if it is illegal, but that there are some federal tax levies at the 70% level presently.

The Mayor spoke on housing issues at a community meeting on Potrero Hill recently. He announced that he intends to introduce a real estate transfer tax to be applied on re-sale within 18 to 24 months after purchase, with an appeals board component.

Both the Moscone and Kopp proposed anti-speculation ordinances are set for public hearings in March.

Thus there are three proposed anti-speculation tax proposals in the offing.

NEW MATTERS

- It was announced by Chairperson Yamakawa that he expected all Commissioners to continue with their past year's standing committee assignments, unless they requested a change. He announced that Commissioner Mezey would re-join the Housing & Urban Development Committee, with co-chairpersons Commissioners Maxwell and Grafilo.

- Commissioners Herring and Mezey are working with Chairperson Yamakawa on the HRC's Budget Committee. The HRC agreed to act as a Committee of the Whole in advocacy regarding the HRC's budget needs, in addition to the Budget Committee dealing with the formal administrative negotiations with City Hall.

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Commissioner Mezey stressed the importance of garnering widespread public support and attendance to vocally support the HRC when public community hearings are held regarding its budget in a few weeks.

- Commissioner Enola Maxwell accepted the invitation of the Presidio military headquarters to participate in observing National Black History Week on Friday, February 17th by serving on a panel to discuss human rights.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, February 23, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, March 2, 1978 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, February 28, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Friday, February 17, 1978 1 P.M. HRC Offices - Room 509 1095 Market Street - San Francisco
Police Liaison	Monday February 21, 1978 4 P.M. Commission Room, Third Floor -Main Library
Social Programs	To be announced
Youth & Education	Thursday, February 16, 1978 3:30 P.M. Thursday, March 2, 1978 3:30 P.M. Grace Cathedral -Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT, at the suggestion of Chairperson Yamakawa, in honor of the 25th Anniversary of Del Martin and Commissioner Phyllis Lyon.

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

GSM:JC:pa
2/16/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of February 23, 1978

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* NEXT MEETING: Thursday
*   March 9, 1978
*   9:15 A.M.
*
* Commission Room, Third Floor
* Main Library, Civic Center
*
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NOTE

See under Calender Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

MAR 13 1978

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Rev. W. R. Drummer, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon,

Excused:

Staff

Present: Grant S. Mickins, Pauline Anderson, Jack Casford, Chester Chew, Lloyd Cowan, Jo Daly, Luis Escobar, Alberta Grant, Don Hesse, Marion How, Stanley Lim, Grace Markham, Jesse Martinez, Joe Meza, Vicky Rathbone, Wayne Redus, Gail Roberts, Jose Robles, Emmett Rosebrough, Tala Suafai, Essie Thomas, Blanca Torres, David Treanor, Jeff Wong.

Pledge of Allegiance

Minutes of February 9, 1978 approved.

CORRESPONDENCE

- From Lillian A. Menden, a complaint that she is being sued (as the landlord of a 21-unit apartment building in San Francisco) for discrimination.

- To Benjamin Tom, President, Board of Education, from Chairperson Yamakawa, formal notice of the HRC's February 9th concerns regarding the Superintendent of School's proposed Educational Redesign plan.

- From Mayor George R. Moscone, a copy of a general announcement of a series of "Town Hall" meetings in different neighborhoods of the City he is sponsoring, beginning February 9th. The second was (this letter/notice was well in advance) on February 15th on the topic of criminal justice.

- From Mel Wax, Director of Information, Office of the Mayor, a memorandum, sent to all department heads, setting forth legal and policy positions in the matter of public access. This memorandum was read in full to the HRC by Director Mickins. Mr. Wax's memorandum cited the California Public Records Act and an opinion of former City Attorney Thomas M. O'Connor of April 18, 1973. The Wax memorandum stated, "Each agency ...should set up procedures to facilitate the flow of information and to make City officials available to the press and public. These regulations should be in writing, and all City employees should be familiar with them. ...Nothing in this memorandum should be construed as declaring

-more-

that City officials cannot regulate the flow of information through proper channels. But nothing ...should be construed as suggesting that a City employee not be permitted to talk to the press or to the public about information to which he is privy and that is in the public domain."

Commissioners Mezey and Herring both commented on this memorandum and differed as to its applicability to the recent 5-day suspension of an HRC employee by the HRC Director. This matter had been discussed by the HRC in Executive Session and at the Administrative Committee, and the Director said the Committee is drawing up written guidelines, and welcomes all Commissioners' input.

- Chairperson Yamakawa stated that he felt it not appropriate to deal at great length with issues that arise out of HRC correspondence at the time the correspondence is formally noted for the record. If issues do arise, he said, they should be put on the HRC agenda for consideration.

- To Harry Weinstein, M.D., President, Social Services Commission, for the office of George Agnost, City Attorney (Maria Burke Lia, Deputy City Attorney), regarding the Social Services Commission request for an interpretation of whether the relationship between the Department of Social Services and placement institutions it contracts with constitutes a "contract" under Chapter 12B of the City's Administrative Code. The City Attorney's letter stated that these placement arrangements in licensed child care institutions do not "constitute a contractual relationship within the meaning of Section 12B..."; that the Department of Social Services is not a "contracting agency;" that such placements are neither contracts, nor agreements to provide labor, materials, supplies or services in the performance of a contract, etc. Ms. Lia for Mr. Agnost (his letter was read in full) discussed the HRC Resolution that requested that the Social Services Commission direct placement institutions to cooperate in a survey of staff and clients, and endorse the affirmative action agreement--to be signed by the HRC---and the private placement institutions.

Director Mickins reviewed briefly the conserns of the community and those expressed in the 1976 Grand Jury Report regarding the allegations of discrimination in selection and use of staff and client population of private institutions. He cited the two reports Emmett Rosebrough and HRC staff have made based on their survey and analysis of placement procedures and policies. Mr. Mickins reported he had unsuccessfully discussed the City Attorney's Office letter with members of that office to voice HRC's serious concerns and to express the HRC's strong disagreement with the opinion as written to Dr. Weinstein. He then read in full an HRC response letter.

- To Dr. Weinstein, President of the Social Services Commission, withdrawing the HRC request for action by the Social Services Commission in support of 12B with reference to monitoring the staff of placement agencies it deals with, citing as basis for the withdrawal the City Attorney's opinion of February 22nd which the HRC feels is incorrect both as to the law and the facts. The HRC wrote that it would renew its request after the matter has been clarified.

DIRECTOR'S REPORT

- Fisherman's Wharf Restaurants Case

A Notice of Appeal and Request for Transcript has been filed with the California State Court of Appeal by the City Attorney's Office representing the HRC. Judge Charles Peery of the Superior Court had ruled in favor of the Alioto Fish Company, Ltd., and a number of major Wharf restaurants, saying they could not be required by the HRC to sign affirmative action agreements or comply with reporting or other monitoring rules.

- Wastewater Staff Fund Request

The HRC's request for funding for staff needed to monitor affirmative action compliance by contractors on the giant Wastewater project has still not been acted on by the office of the Chief Administrative Officer, Roger Boas.

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It has been learned that the State Environmental Protection Board in Sacramento has written the City and County refusing to reimburse it for expenses in monitoring affirmative action for the Wastewater project. It is understood that the state has taken the position that the monitoring of the project should be done by the HRC, but paid for from the City's ad valorem taxes. Mr. Mickins has been told that the City is appealing the E.P.A. Board refusal.

- HRC's Legal Counsel Introduced.

Director Mickins introduced Ms. JoNell Biancalanca, who will be the HRC's legal counsel from the City Attorney's Office. She succeeds Ms. Judith Teichman.

- Special Presentation: HRC History, Role, and Responsibilities.

There followed an extensive, two-hour presentation by HRC staff and Director Mickins on the history of the HRC, its background for dealing with issues, its jurisdiction and legal authority, its internal organization, its staff makeup, its standing committee functions, its programs, its major areas of concentration (i.e., community liaison, employment, housing) and projects the staff has been or is working on. The Commissioners were provided with numerous charts to follow, plus an organizational chart, and materials and data were projected on a screen.

Commissioner Fine, the only charter member of the HRC still on the HRC, reviewed the history of the formation of the HRC. He recalled the civil unrest that prevailed in San Francisco in 1963 and how, on September 19th of that year Mayor George Christopher appointed the late James P. Mitchell (a former Eisenhower Administration Secretary of Labor) as Human Relations Coordinator of San Francisco with the request that he, with others, seek to develop new approaches to the solution of minority group problems in the City. A report, with recommendations, called "A Human Relations Program for San Francisco," was submitted to Mayor Christopher on January 2, 1964. Mr. Mitchell recommended the creation of what he called a Citizens' Council for Equal Opportunity in that report, a body that would "...develop and carry out policies and ...programs for better employment, housing and education for Negroes and other minority groups."

In March of 1964, in a "climate of conflict" that saw demonstrations on behalf of minority groups for equal employment opportunities in downtown hotels and before automobile agency showrooms on Van Ness Avenue Mayor John F. Shelley named an Interim Committee on Human Relations. The Committee was to deal with accelerating nonwhite employment and to mediate in disputes that were the cause of some of the demonstrations. Its fifteen members represented Protestant and Catholic clergy, labor, the largest bank in the state, the telephone utility, and representatives of Black, Jewish and Latino communities. Mr. Mitchell was the chairperson.

The HRC was formed in July of 1964, when the Board of Supervisors passed the enabling ordinance, Chapter 12A of the City Administrative Code.

The report of the Interim Committee was made to Mayor Shelley October 8, 1964, concentrating on the immediate issue of employment, and it made specific recommendations to employers, unions, employment agencies, and civil rights organizations to help rectify the under-employment of minorities in the City.

- Chapter 12A. San Francisco Administrative Code - Grant Mickins

Director Mickins reviewed the history (1964-78) of this ordinance, the jurisdiction and powers it entails, and the classes of nondiscrimination it covers. He gave brief resumes of HRC activity in the fields of research and investigation, mediation, technical assistance, and educational and informational activities.

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- Chapter 12B. San Francisco Administrative Code - Wayne Redus

Mr. Redus, HRC Coordinator of Employment, reviewed this ordinance, passed in 1966, which has been amended to include, in addition to the original race, color, creed, national origin, and ancestry, age, sex, sexual orientation, or disability as protected classes. He described in some detail the awarding agencies covered by Chapter 12B (ten major City departments); the areas a City contractor may not discriminate in (e.g., advertising, recruitment, demotion, transfer, etc.); the rules of procedures the HRC follows in dealing with complaints---from the filing of a complaint through appeals to a show cause panel or full HRC, to the courts; and the affirmative action guidelines followed by the HRC since 1968 with both pre-bid conferences and implementation of affirmative action with the public and private sector.

- Chapter 12C. San Francisco Administrative Code - Vicky Rathbone

This is the most recent of the ordinances and Ms. Rathbone, a Contract Compliance Officer with the HRC, described its passage in February, 1977 calling for nondiscrimination in property contracts and leases (an amendment of 1978). It grew out of challenges to discriminatory by-laws by private clubs (against admitting women, for example) leasing City property. It charges the HRC with making investigations to determine compliance with Chapter 12C. Supervisor Dianne Feinstein introduced an amendment which states that an organization must use City property for more than 29 (not consecutive) days a year before it becomes subject to 12C.

Ms. Rathbone described the HRC's questionnaire to some fifty organizations using City property which asked membership qualifications, procedures for recruiting members, processing of applications, copies of by-laws, and membership breakdowns according to race and sex. She said there was a hostile reception to the latter request, but eventually about half of the organizations responded. HRC staff is too limited to follow-up on those organizations not sending in membership breakdowns. It was noted that the Recreation and Park, and Water Departments, and the Port Commission lease property to private organizations or hold easements of parts of the land occupied by them. HRC analysis of the questionnaires, she said, did not reveal any cases of overt discrimination, and many of the clubs have changed their by-laws to include women.

Ms. Rathbone said that in the year since Chapter 12C was passed, the HRC has received no formal complaints of discrimination concerning membership in any of the organizations. In the more than 65 organizations included in HRC survey statistics, about half reported membership breakdowns, showing 6.1% of the members are minorities and approximately 19% women. There was no evidence that minorities or women were being turned down for membership in higher numbers than white male counterparts. However, it remains true, said Ms. Rathbone, that the majority of applicants and members of these organizations are nonminority males.

Ms. Rathbone emphasized that although the first year has required staff time simply to survey and analyze under Chapter 12C, there is need for additional staff, especially should implementation through affirmative action become a priority.

She, too, cited the awarding agencies under this ordinance, the specific nondiscrimination provisions (applicable to accommodations, facilities, membership, etc.), and the HRC noncompliance procedures followed.

- Structure and Organization

Director Mickins then went through the HRC's organization chart, showing lines of authority and supervision for the HRC professional and clerical staff.

- Standing Committees, Programs, Issues, and Projects

Staffing, membership, and issue-handling by each of the HRC's standing committees (Administrative, Employment, Gay Advisory, Housing & Urban Development, Police Liaison, Social Programs, and Youth & Education) were then outlined for the HRC, with Gail Roberts, Coordinator of Community Organization describing the work of the section she supervises, and Wayne Redus doing the same for the Employment section.

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Commissioner Fine recalled, during subsequent discussion and questions from Commissioners, that the HRC has had four Directors (called Executive Secretary in Chapter 12A) Frank Quinn, William L. Becker, Joseph Meza (Interim Director), and Grant S. Mickins. There have been nine chairpersons: Edgar Osgood, Robert Lauter, Curtis McClain, Leonard Kingsley, Julian Bartlett, Louis Heilbron, Victor Medearis, Caryl Mezey, and David Yamakawa.

- Commissioner Morrissey introduced the subject of the public information function of the HRC and suggested that the Administrative Committee consider ways to disseminate the role of the HRC in the community. Director Mickins said it was doing so. Jack Casford, who provides public information at the HRC daily, reviewed HRC work in the past in public relations and public information, its privately-funded, briefly-published newsletter of the past, its cut in postage and printing budget and forced reduction by two-thirds of its Minutes mailing list, etc. Commissioner Fine also cited the inability of the HRC to staff and fund an on-going, permanent public information program.

- Chairperson Yamakawa announced that further study in depth will be made of the jurisdiction in the future of the HRC.

STANDING COMMITTEE

Administrative
Caryl Mezey, Chairperson

- Proposed Amendment to HRC Rules and Regulations, Rule 21

Continued from the HRC meeting of February 9th was the proposed amendment to Rule 21 of the HRC Rules and Regulations. Rule 21 pertains to the Committees of the HRC.

After discussion, it was

**** m/s/c that the Rules and Regulations, Rule 21, be amended to add the proviso that "Committee assignments will run from March 1st to March 1st beginning in 1979, with the exception of the Youth & Education Committee, whose membership assignments shall run from September 1st to September 1st."

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Support for Los Angeles County Commission on Human Relations' Resolution of Opposition to Changes in Present University of California Undergraduate Admission Requirements.

The Los Angeles County Commission on Human Relations had asked the HRC to support its resolution opposing changes in the present admission requirements for the University of California, specifically implementation of the Regents' standardized test policy.

Commissioner Solomon announced that the issue was moot, since the University Board of Regents have already adopted the standardized test policy (which some feel would work adversely on the admission of minority students), but, to show its support for the Los Angeles Commission, it was

**** m/s/c to formally support the Los Angeles County Commission on Human Relations' Resolution of Opposition to Changes in Present University of California Undergraduate Admission Requirements, and to so inform the Los Angeles Commission.

- Proposed Endorsement of Priority for Non and Limited English-Speaking Students for Enrollment in Bilingual Education Programs.

As an outgrowth of Committee discussion of the concerns of Commissioner Dan Silva, who had urged that the HRC support the Bilingual Community Council's opposition to the Educational Redesign plan, the Committee on February 16th heard a full presentation from School District officials on Bilingual Education programs. It (the Committee) then decided that the HRC should re-state and re-emphasize its 1972 position on bilingual education programs for non and limited English-speaking students.

It was then,

**** m/s/c that the HRC re-state and re-affirm its position urging a priority in the San Francisco Unified School District for non and limited-English speaking students, with provision made to ensure that those students enrolling during the school year are able to enter bilingual classes.

NEW MATTERS

- Chairman Yamakawa announced that the Civil Service Commission meeting to consider a proposed three-person Affirmative Action job classification for the Civil Service Commission staff, which the HRC opposes unless its professional staff doing affirmative action work receives salary equity and/or is included in such a new class, has been postponed from February 21st to March 6th. Chairperson Yamakawa will testify at that meeting, along with the Director and other Commissioners.

- Chairperson Yamakawa, Commissioners Mezey and Herring, and Director Mickins met February 16th with members of the Mayor's staff regarding the HRC's budget request for the next fiscal year. More meetings are scheduled.

- Efforts still are being made to get a definite appointment at which members of the HRC can personally deliver to the Mayor the HRC's Principles for Affirmative Action in Employment and Priorities in Employment documents.

- Commissioners were asked to volunteer for a committee to review the HRC's Chapter 12B jurisdiction and consider and recommend any needed changes in the future. This committee, Chairperson Yamakawa announced, will be formed by the next HRC meeting, March 9th.

CALENDAR MATTERS

- There will be a Show Cause hearing in the case of Carter v. Bank of America on March 15th.

- The next regular meeting of the HRC will be Thursday, March 9, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, March 2, 1978 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, February 28, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco

-more-

Housing & Urban Development	Wednesday, March 15, 1978 1 P.M. HRC Offices - Room 509 1095 Market Street - San Francisco
Police Liaison	Tuesday, March 28, 1978, 4 P.M. (place to be announced)
Social Programs	To be announced
Youth & Education	Thursday, March 2, 1978 3:30 P.M. Thursday, March 16, 1978 3:30 P.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

GSM:JC:pa

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of March 9, 1978

NEXT MEETING: Thursday
March 23, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

MAR 24 1978

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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Rev. W. R. Drummer, Sister Mary Bernadette Giles, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Carlota del Portillo, Rabbi Alvin I. Fine, Antonio Grafilo, Caryl Mezey, Dan Silva.

Staff

Present: Grant S. Mickins, Jack Casford, Chester Chew, Don Hesse, Wayne Redus, Gail Roberts, Jose Robles, Jeffrey Wong.

Pledge of Allegiance

Minutes of February 23, 1978 approved.

CORRESPONDENCE

- From Mayor George R. Moscone, a copy of a letter to twenty-two City commissions and boards, requesting that each assign representatives to attend the meet and confer sessions with the Employee Relations Division of the Civil Service Commission. The HRC staff has participated in these sessions.

- From Albert C. Ambrose, Division Manager, Personnel, Civil Service Commission, notice of the Civil Service Commission meeting of March 6th at which the report regarding Salary Standardization for fiscal 1978-79 would be considered, and that related records could be seen prior to that meeting.

- From Richard R. Sorro, Title VI Project Director, and co-signer Mark P. Cazen, Director, United Pilipinos for Equal Employment, requesting a meeting to discuss their survey findings of forty San Francisco-based companies (subject either to the HRC or the San Francisco Unified School District contract compliance jurisdiction) that none of the companies identify Pilipino Americans in their workforces.

- From Loretta Whitehead, Director, Women's Center, requesting HRC support for the Center's budget request to the Mayor and Board of Supervisors. See New Matters in these Minutes.

- From Harvey M. Rose, Budget Director and Analyst, notice of the hearings of the Finance Committee of the Board of Supervisors on the Mayor's recommended departmental budgets, with the HRC scheduled for the hearing on Friday, April 14th, from 2 to 8 p.m. in Room 228, City Hall.

- To Robert F. Alioto, Superintendent of Schools, from Chairperson Yamakawa, informing of the HRC's reaffirmation on February 23rd of its position urging a priority in the SFUSD for non and limited-English-speaking students, with provision made to ensure that those students enrolling during the school year are able to enter bilingual classes.

DIRECTOR'S REPORT

- Jarvis-Gann Initiative Fiscal Impact

Director Mickins referred to a copy of the March 6th report of Harvey Rose, City Budget Director and Analyst, to the Board of Supervisors, on his analysis of the fiscal impact on the City if the Jarvis-Gann Initiative Constitutional Amendment (Proposition 13) now on the State June ballot is passed. The amendment would limit ad valorem taxes to 1% of the 1975-1976 full cash value of real property with certain adjustments. Mr. Rose said this would decrease the City's revenues by 46.8%, and he suggested four alternative budgets. In Alternative Budget Level 1, providing for a cutback of $172 million from 1977-78, funding is not provided for ten currently existing departments, including: the Human Rights Commission, the Delinquency Prevention Commission, and the Animal Control and Welfare Commission. They come under the Public Protection group of City departments with the "chief responsibility for maintaining the public peace and safety and protecting property" that include, of course, Fire and Police services.

It was

****m/s/c that the Administrative Committee be directed to study the Jarvis-Gann Initiative Amendment in detail for a full understanding of its impact on the HRC.

- Salary Standardization

HRC Representatives have attended two meet and confer sessions with Civil Service Commission staff regarding both their salary increase requests (for parity with comparable affirmative action professionals in the Bay Area) and their protest relating to the creation of three affirmative action classifications on the Civil Service Commission staff without including the HRC Representative as comparable in both duties and salary level. The Director and Commissioner Mezey met with John Walsh, General Manager, Personnel, of the CSC, and at his request provided salary ranges from affirmative action officers in federal, state, and local agencies, to be included in setting the salary recommendations for the HRC benchmark class. Mr. Walsh forwarded these figures to the Salary Standardization unit and it is directed to provide a response to the HRC. On March 15th, the CSC will again consider the staff recommendations on these matters.

- Carter v. Bank of America

A show cause hearing set for March 15th has been postponed at the request of the Bank of America in the sexual orientation discrimination case brought by a former management employee. It will be continued to either March 22nd or April 5th.

Minority Contractors' Association v. W & B General Contractors and B&F General Contractors

W & B has, within the past eight weeks, hired a bonafide minority contractor for their work on the addition to the Memorial Opera House; B&F Concrete Contractors has asked for a continuance in the case, which on appeal from a Director's Finding of noncompliance (failure to employ, for 10% of a contract, a bonafide minority contractor) earlier this year.

- Appointment of the Chapter 12B Revision Committee

Members of the Committee, appointed at this meeting by Chairperson Yamakawa, are Commissioners Fine, Maxwell, and Solomon, plus Employment Committee members Lynn Dykstra, (Executive Director, National Culinary Apprenticeship Program) and Mark Aaronson (Director, San Francisco Lawyer's Committee), Jo Nell Biancalana, the HRC's legal counsel from the City Attorney's staff, and Wayne Redus and Gail Roberts, of the HRC staff.

STANDING COMMITTEES

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Proposed Resolution Calling for Inclusion of Low and Moderate-Income Housing in Condominium Conversions - Don Hesse.

Mr. Hesse reviewed briefly the recent history of public attitudes and actions regarding the conversion of rental apartment units to condominiums that have to be bought. He described the successful resistance efforts a few years ago of tenants of Parkmerced, a large, middle-class apartment complex, which resulted in preventing the corporate owners of the development from making the conversion. These efforts led to the drafting and eventual passage by the Board of Supervisors of a subdivision ordinance (endorsed by the HRC) in 1975. It required that there be 35% tenant-consent in buildings over 35 units, that 20% of the conversion units be for low and moderate-income persons, if subsidies were available, and forbade conversions which reduced the City's stock of low and moderate-income units, among other components.

The City Planning Department currently is proposing a policy of permitting condominium conversions with safeguards for tenants, and provided that conversion facilitates low, moderate, and middle-income people in buying the units.

Mr. Hesse noted the past HRC position espousing the inclusion of 20% low and moderate-income subsidized units in large conversions. He pointed out that the federal government in the Nixon administration had cut off subsidies thereby making such a proposal meaningless.

Present proposals also include, said Mr. Hesse, the idea that persons 62 or older in buildings to be converted should be granted six-month leases (rental) for every year of tenancy they have. He stressed that the preponderance of condomiminium conversions has been in Pacific Heights and Russian Hill, where many elderly people have lived between 10 and 20 years in the same units.

Commissioner Morrissey asked a number of questions of Mr. Hesse about how the proposed Planning Department plan would be implemented, whether large units would be affected, or only certain-sized units, whether the number of people or the length of residence, or financial need, or other factors would be criteria for meeting low and moderate-income requirements.

Commissioner Herring stated that there should be a specific designation of 10% of the units set aside for low-income people, and 10% for moderate-income, applying the federal formula for determining this.

Mr. Hesse said that the City Planning Department has proposed that the Board of Supervisors declare a 90-day moratorium on any condomiun conversions in the City, until a survey can be made of what effects have come about to date from the conversion of some 2,000 units in recent years.

The proposed Resolution from the Housing Committee would have had the HRC support "the policy of protecting the rights and needs of existing tenants in condomium conversions and encouraging the purchase of such units by low and moderate-income households, and further, (that it) calls (s) upon the Planning Commission and the Board of Supervisors to require that all condomium conversions provide for the inclusion of not less than 20% low and moderate-income households, and remain part of the City's low and moderate-income housing stock."

This Resolution did not pass, as a consequence of its being superceded by the action of the HRC, initiated by Commissioner Morrissey, to

**** m/s/c that the proposed Resolution be referred back to the Housing and Urban Development Committee for further study.

At Mr. Hesse's suggestions, and after further discussion about the time urgency, it was

****m/s/c that the HRC urge the Board of Supervisors to declare a 90-day moratorium on condomium conversions in the City in order that a survey may be made of the effect to date of such conversions.

- All Commissioners were asked to try to attend, or at least provide input to, the next meeting of the Housing and Urban Development Committee at 9 a.m., March 15th, at the HRC Offices.

- Anti-Speculation Ordinance Status

Mr. Hesse reported that the Mayor's Office will not submit an anti-speculation ordinance as previously thought, but instead will hold public hearings on setting a public policy on the issue late in March.

The Board of Supervisors' Finance Committee on March 29th will hear two proposed ordinances on speculation, that of Supervisor Quentin Kopp, and that of the San Francisco Housing Coalition (an anti-speculation tax proposal), endorsed by the HRC on January 26th.

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson

- Proposed Publicizing of Chapter 12C of the Administrative Code

On recommendation of the Employment Committee, it was

****m/s/c that the HRC conduct an educational program to publicize the existence and provisions of Chapter 12C, which basically requires that all City property contracts include nondiscrimination provisions and mandates the HRC to enforce them.

- Recommended Endorsement of AB 1960 re: Discrimination Based on Pregnancy.

This measure, introduced into the California Legislature Session of 1977-1978 by Assemblymen Berman, Chacon, and Rosenthal, has already passed the State Assembly and is before the Senate Industrial Relations Committee. AB 1960 would expand to all employers in the state the scope of the current prohibition of school districts' governing boards from discrimination in employment against females because of pregnancy, childbirth, or other related condition.

It was
****m/s/c that the HRC endorse Assembly Bill 1960.

- Proposed Endorsement of H.R. 50 and S. 50 (the Humphrey-Hawkins Bill).

Formally, this is called the Full Employment and Balanced Growth Act, and it was introduced in 1975 by the late Senator Hubert Humphrey and Representative Augustus Hawkins. It establishes as national policy "the right of all Americans able, willing, and seeking to work to full opportunities for paid employment at fair rates of compensation." It sets interim targets and a timetable for the reduction of unemployment: a 3% rate for those 20 and older and a 4% rate for those 16 and over within five years of passage. It requires an annual Presidential economic report including numerical goals for employment and unemployment, production, real income, and productivity. The Congress is required to develop an integrated economic program in response to the President's

recommendations. It establishes a priority for job creation emphasizing the private sector and regular public employment through expansion of conventional private jobs, expansion of private employment through federal assistance, expansion of regular public employment jobs, and last-resort public service jobs.

A national Full Employment Action Council, co-chaired by Murray H. Finley, President, Amalgamated Clothing Workers of American, and Mrs. Martin Luther King, Jr., is building support for the legislation which is being debated in the U. S. Senate now.

Mr. Redus discussed various provisions of the bill in detail, and responded to Commissioner Morrissey's questions at some length. Opposition to the bill, said Mr. Redus, comes from the National Association of Manufacturers, the United States Chamber of Commerce, business interests nationally and locally, etc., and objections include that it (the bill) will impose too much federal control and that it will be too costly.

Commissioner Morrissey said that unemployment was the most important issue with which the HRC deals, but that legislation had to be effective, and that S. 50 did not, for him, spell out in enough detail how these goals could be reached, although he would vote to endorse it with the HRC.

It was then

****m/s/c that the HRC endorse H.R. 50/S.50, the Humphrey-Hawkins Full Employment and Advanced Growth Bill.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Committee Discussion Re: School District Affirmative Action in Employment.

Albert Cheng, the Unified School District Affirmative Action Officer, was represented by Suataute Anoai, his assistant handling contract compliance, at the HRC's meeting of March 2nd. Mr. Cheng will come to a later meeting for a fuller discussion. The Committee's main concern is that the District set specific goals (rather than just guidelines) in affirmative action.

Commissioner Fine has suggested that the Youth & Education and Employment Committees meet jointly on May 4th on the whole question of HRC concerns about the District's affirmative action policies and procedures.

- Commissioner Giles said that the growing numbers of Vietnamese, Samoan, and other ethnic-group children have introduced the issue of whether they are included (these categories) along with the categories of Chinese, Japanese, Latino, Black, and Native American for affirmative action purposes.

NEW MATTERS

- Support for Women's Center Budget Request

In the Correspondence section of these Minutes there is listed the letter signed by Loretta Whitehead, Director of the Women's Center. The Center is based in the Hall of Justice, and has been operated as a pilot program since November, 1976, trying to offer work-furlough opportunities for women sentenced to jail. There has been no public nor private funding. The Center has operated with two private donations totaling $200. It is working in a situation where men prisoners have work-furlough opportunities, but women, until the founding of the Center, had none. In 16 months, it obtained 60 work-furlough positions for women; the men's division places 60 a month.

The HRC, noting that the Center is submitting a budget to the Mayor and the Board of Supervisors,

****m/s/c that it (the HRC) endorse the policy of providing women opportunities to work-furlough programs equal to those provided for men, and that it

support the budget request of the Center to the Mayor and Board of Supervisors.

- Resolution in Support of Associate Superintendent John L. Cleveland.

It was first

**** m/s/c that the HRC consider this proposed Resolution without its coming through a Standing Committee first.

Commissioner Solomon read in full an article from the morning Chronicle of this date reporting that the Superintendent of Schools had recommended terminating the contract of John L. Cleveland, Associate Superintendent serving his first year in the District. Dr. Cleveland is the highest-ranking Black in the School District.

Commissioner Solomon then read in full a proposed Resolution in Support of Associate Superintendent John L. Cleveland, and

**** it was

**** m/s/c that the HRC adopt and transmit to the Superintendent the Resolution in Support of Associate Superintendent John L. Cleveland. The full text is attached to these Minutes. Noting his many achievements in the area of discipline procedures and suspensions, and his close and cooperative work with the HRC on issues of common concern, the Resolution commends him and publically conveys its support of him. It does not address the issue of the recommendation that his contract be terminated. The full text of this Resolution is attached to these Minutes.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, March 23, 1978, at 9:15 a.m. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, March 23, 1978 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, April 4, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Wednesday, March 15, 1978 9 A.M. HRC Offices - Room 509 1095 Market Street - San Francisco
Police Liaison	Tuesday, March 28, 1978 4 P.M. Commission Room - Main Library - S.F.
Social Programs	To Be Announced
Youth & Education	Thursday, March 16, 1978 3:30 P.M. Thursday, April 6, 1978 3:30 P.M. Grace Cathedral -House Library

NO REMARKS FROM THE AUDIENCE
ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa (Attached-Resolution in Support of Associate Superintendent Cleveland)

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

RESOLUTION IN SUPPORT OF ASSOCIATE SUPERINTENDENT JOHN CLEVELAND

WHEREAS, the Youth and Education Committee has worked closely with Dr. John Cleveland during his tenure as Associate Superintendent of Instruction; and

WHEREAS, Dr. Cleveland has instituted major changes in school discipline procedures, specifically with suspensions, based on the recommendations of the Human Rights Commission; and

WHEREAS, Dr. Cleveland has developed Counseling/Education Centers to provide appropriate alternatives to suspensions which was endorsed by the Human Rights Commission with the stipulation that Dr. Cleveland personally monitor the staffing and operation of the Centers; and

WHEREAS, Dr. Cleveland has been extremely helpful to HRC staff in resolving complaints involving the schools; and

WHEREAS, Dr. Cleveland has demonstrated leadership in the promulgation of multicultural education; and

WHEREAS, Dr. Cleveland has been extremely responsive to concerns articulated by the Youth and Education Committee.

NOW, THEREFORE BE IT RESOLVED that the Human Rights Commission commend Dr. John Cleveland; and

FURTHER BE IT RESOLVED that the HRC publicly convey its support for Dr. John Cleveland.

Resolution 4-78
Adopted by the HRC 3/9/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of April 13, 1978

APR 24 1978

DOCUMENTS DEPT.
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* NEXT MEETING: Thursday *
* April 27, 1978 *
* 9:15 A.M. *
* Commission Room, Third Floor *
* Main Library, Civic Center *
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W. R. Drummer, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon.

Excused: Antonio Grafilo, Dan Silva, Nadim Zarour.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Chester Chew, Alberta Grant, Don Hesse, Joe Meza, Wayne Redus, Gail Roberts, Jose Robles, Emmett Rosebrough.

Pledge of Allegiance

Minutes of March 9, 1978 approved. Meeting of March 23, 1978 was cancelled.

CORRESPONDENCE

- From Matthew B. Weinberg, Chairman, Jewish Community Relations Council of San Francisco, Marin and the Peninsula, asking Director Mickins to participate in a public meeting to protest the expected trial of Anatoly Scharansky on charges of treason by the Soviet Union, and to use his name as a supporter of such a protest meeting. Director Mickins responded personally to this letter, which was not asking for Human Rights Commission official participation.

- From Joe Breiteneicher, Employment Law Center, requesting a meeting to write a final report on hiring standards for ex-offenders.

- From Jim Denman, Undersheriff, extending appreciation to Emmett Rosebrough, a member of the HRC staff, who, though absent from work on sick leave, upon hearing of a tense crisis negotiation situation in an eviction, helped obtain housing for the protesting tenant. Mr. Denman wrote, "Were it not for Mr. Rosebrough's assistance, it is most doubtful that (the tenant) would have peacefully surrendered."

*****Chairperson Yamakawa expressed the gratitude and praise of the HRC officially to Mr. Rosebrough, who was present at this meeting.

- From Undersheriff Denman, requesting the assistance of the HRC in facilitating communications between the White Panther Party members living at 400-410 Cole Street, the owners of the building, and the Sheriff's Department. Mr. Denman requested HRC monitoring, and said it would act independently of the authorities and "would in no sense be considered as part of the eviction effort."

Joseph Meza of the HRC has been assigned as the Liaison and reported briefly on his involvement in this case.

- From U.S. Representative Phillip Burton, thanking the HRC for its support of the Humphrey-Hawkins (full employment) bill, which Mr. Burton co-sponsored. An altered version of this bill was passed by The Congress.

- From Marie Sharp, Chairperson, Conference Planning Committee, Fifth Annual Statewide Conference of California Community Human Relations Commissions, material about the conference to be held April 13-16 in Claremont, California.

- From Mayor George R. Moscone, a Memorandum to all City department heads on Proposition 13 Contingency Plans. This Memorandum was read in full. It asks each City department by May 1 to report which of their functions fall under a list of six priorities of City service for the purpose of planning for the possible passage of Proposition 13. This Proposition (the Jarvis-Gann Initiative) would, the Mayor wrote, reduce by at least $241 million the amount of property taxes the City would receive to fund public services. The Mayor wrote also that departmental cuts will range from 100 percent to less depending on the priority list, and that no City department, regardless of the service it provides, will receive comparable funding to the past.

- From Kenneth F. Holbert, Director, Fair Housing Enforcement and Contract Compliance, U. S. Department of Housing and Urban Development, Office of the Assistant Secretary for Fair Housing and Equal Opportunity, reporting on the fourth Fair Housing Seminar held in Biloxi, Mississippi, January 23-27, 1978.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, on behalf of Supervisor Quentin L. Kopp, requesting that the HRC report on the effectiveness of a proposed ordinance that would amend the San Francisco Police Code by prohibiting discrimination based on sexual orientation in employment, housing and public accommodations, presuming passage of the ordinance. The ordinance was passed and signed into law by the Mayor and it provides for filing with the HRC as one way of processing a complaint. Supervisor Kopp also requested a second report be submitted to the Board of Supervisors after one year (from passage of the ordinance).

- From Eunice Elton, Mayor's Office of Employment and Training, announcing that a recent revision of the Manpower Planning Council by the Board of Supervisors provides that its nine ex-officio members shall have no vote. Director Mickins (or his alternate, Joseph Meza), has been a voting ex-officio member up to this time. Mr. Mickins will now have to attend personally, but he will, as ex-officio, now have no vote. See New Matters section of these Minutes.

- From Karen Heikkala, PLENTY Secretary, California Farm Center, providing brochures explaining the operation of PLENTY. PLENTY is a nonprofit, charitable

organization founded in Tennessee. It has 16 chapters in the United States and Canada, working in health care, vegetable nutrition, communications, education, construction, agriculture, water, and food technology for the poor or otherwise disadvantaged people. Relief operations have been underway in Guatemala, Bangladesh, and Mexico, as well as the U.S. and Canada. The address is California Farm Center, 222 Carlson Blvd., Richmond, CA 94808.

- From Richard R. Sorro, Project Director, United Pilipinos for Equal Employment, confirming meeting with the HRC on the Pilipino American public utilization study funded by the Mayor's Office of Employment and Training.

- From Stephen D. Steiner, Program Coordinator, American Arbitration Association, thanking Director Mickins for agreeing to participate in a promotional luncheon for Community Dispute Service.

- From William H. Hastie, Jr., Executive Officer, Fair Employment Practice Commission, enclosing a job announcement for Executive and Legal Affairs Secretary at the FEPC, which position he is vacating.

- From Sidney Rudy, of Rudy, Rapaport and Holden, to Stanley Lim, HRC Contract Compliance Officer, regarding the North Point Pier Project. This project on the San Francisco waterfront entailing a massive marine/commercial development of shops, restaurants, offices, etc., has been in contact with the HRC for several months regarding compliance with Chapter 12B of the Administrative Code. Warren Simmons is the principal developer. Mr. Rudy wrote that North Point Pier, Inc. "does not have the power..." to dictate to the tenants as to bid conditions to be added in their negotiations for construction contracts." The HRC has asked repeatedly, Director Mickins reported, that the Nondiscrimination Ordinance be part of bid materials supplied to prospective tenants, and, he reported, North Point Pier, Inc. has a "chronological history of refusal and delay" in complying with Chapter 12B by not sending compliance reports or employment data. The HRC on April 12 filed a formal complaint against North Point Pier, Inc. for procedural noncompliance.

Wayne Redus, HRC Coordinator of Employment, said that North Point Pier, Inc. has maintained that their signing of the construction contract with the City required them not to discriminate, but not to carry out an affirmative action program or report on same to the HRC.

The HRC has claimed jurisdiction not only of the construction phase of the marine/commercial project, but also over the tenants for the complex. Mr. Simmons claims:

1. The company already has a good affirmative action record.
2. The company is so busy leasing property that it does not have time to comply.
3. That the HRC has no jurisdiction over tenants leasing from him.
4. That the HRC has no jurisdiction over the overall employment conditions that will prevail when the development is operating.

Mr. Redus said it had been extremely difficult for the HRC to penetrate the overlapping levels of authority for the project. Declarations by the project officers that they would cooperate with the HRC have not, he said, been followed by action.

- Status of Fisherman's Wharf Restaurant Case Appeal

The City Attorney's Office, as reported earlier, has requested transcripts of the 1977 ruling by Superior Court Judge Charles Peery, who

granted a number of Wharf restaurants a permanent injunction forbidding the HRC from requiring them to submit affirmative action data or enter into affirmative action agreements. An appeal is being made on the HRC's behalf to this ruling.

- From Mayor Moscone, announcing a meeting to be held at 11 A.M., Saturday, April 15, on the steps of the Main Library in the Civic Center, by the Community Committee for Continuing Education Against Nazism. At the same time a small group of Nazis resident in San Francisco have planned a rally on City Hall steps. The Mayor is Honorary Chairman of the Community Committee for Continuing Education Against Nazism. He announced that following the Library meeting there will be an art exhibit in the Lurie Room of the Main Library on the Holocaust and the showing of a series of films such as THE GREAT DICTATOR, NIGHT AND FOG, and others.

- From Juanita del Carlo, Project Director, Mission Hiring Hall, Inc., recommending Barbara Thomson to replace Pansy Nunez from the Hiring Hall on the HRC Employment Committee.

- To Mayor Moscone, from Commissioner Alvin Fine, as Chairperson of the HRC Employment Committee, cover letter transmitting copies of the HRC's Priorities in Employment and Principles for Affirmative Action in Employment, adopted in November of 1977. Commissioner Fine noted the unsuccessful efforts of the HRC Director and himself to obtain an appointment with the Mayor for the purpose of presenting these documents personally and discussing with the Mayor its specific recommendations, recommendations made at his request. Commissioner Fine noted the HRC's many months of study, deliberation, research, and the series of public meetings that went into drawing up the two documents. Also attached will be a copy of Frank Anderson's Status Report (see Employment Committee) on the Civil Service Affirmative Action Proposal.

- The HRC Budget for Fiscal 1978-1979.

The HRC has learned, after a discussion with a member of the Budget Analyst's Office, that all of its personnel requests have been deleted, including the post of Deputy Director. The funding level will be approximately the same as it was in this current fiscal year ($332,110), with some cuts in allocations for supplies, and a minor increase in postage. The Deputy Director position was recommended by the Mayor's Office last year.

The Finance Committee of the Board of Supervisors will hear discussions on the HRC budget on April 14 at 2 P.M.

- Wastewater Project Status.

The HRC, which has been officially designated, by a Board of Supervisors resolution 306-77, as the monitoring agency for the 1.5 billion-dollar sewage disposal project for the City, has yet to be funded for monitoring staff needs. The Environmental Protection Agency recently notified the City it would not reimburse it for affirmative action costs in monitoring the Wastewater Project. The HRC has re-submitted its $110,000 budget request for three professional and one clerical position through the Mayor's Office.

STANDING COMMITTEES

ADMINISTRATIVE
Caryl Mezey, Chairperson

- Proposed Resolution Authorizing Establishing "Friends of the Human Rights Commission."

The proposed resolution was read in full by Commissioner Mezey. It would authorize the establishment of a group called "Friends of the Human Rights Commission" to provide aid and support for a number of HRC activities as mandated in the Administrative Code, including disseminating educational and informational materials, and furnishing assistance and guidance to private and public agencies.

It was *****m/s/c that the HRC adopt the Resolution Authorizing Establishing "Friends of the Human Rights Commission." The full text of this Resolution is attached to these Minutes.

- HRC Response to Budget Analyst's Report on the Fiscal Impact of Jarvis-Gann on the HRC.

Director Mickins appeared before the Finance Committee in response to the recommendations of the Budget Analyst, one of whose alternative level budgets for the City, should Jarvis-Gann (Proposition 13) pass in June, calls for disbanding the Human Rights Commission. Commissioners were provided copies of a draft letter to Mayor Moscone and Board of Supervisors President Dianne Feinstein stating in detail the HRC's reaction to the Budget Analyst's report and its protest of the proposed sacrifice of the only City agency mandated to mediate and conciliate disputes and intergroup tensions, as well as to monitor nondiscrimination and affirmative action compliance by City contractors.

There were some suggestions for changes in the body of this letter, including pointing out that the three other City agencies proposed for disbanding (Animal Control & Welfare, Delinquency Prevention Commission, Commission on the Status of Women) are essentially advisory in nature, compared with the HRC's legally-mandated enforcement functions.

Director Mickins said the City currently has asked E.D.P. for a list of the anniversary dates (of employment) of all City employees in order to notify individual departments of the order of employee termination, if Proposition 13 passes and funding is curtailed. Mr. Mickins said this has raised the spectre again of last-hired/first-fired for minorities who have been a proportionate part of City workforces only within the past eight or ten years.

- Response to the Mayor's Request for Preparation of a Written Policy on Release of Information to the Public.

The consensus of the Administrative Committee was that the guidelines stated presently in Chapter 12A.9. (c) of the Administrative Code are acceptable, but it was agreed that Commissioner Mezey and Director Mickins would work with a representative from the City Attorney's Office and the American Civil Liberties Union to write a definitive policy.

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EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson

- Status Report on the San Francisco Civil Service Affirmative Action Proposal - Frank Anderson

Mr. Anderson discussed the highlights of his written report, an update of one he gave to the HRC in December of 1977. Mr. Anderson noted the current activity relative to two events: the charge by the federal Office of Revenue Sharing that the City was not in compliance with its affirmative action guidelines, and the ruling requiring a number of administrative and financial concessions by the City to the suit of the Officers for Justice on affirmative action in the Police Department.

As background, Mr. Anderson's report (which is presented here as he wrote it) pointed out that the San Francisco Civil Service Commission on March 21, 1977, amended its rules to incorporate a new section---Rule 1.03: Affirmative Action Plan and Policy for Equal Opportunities. This rule established as policy that no person in the classified service or seeking admission thereto, shall be appointed, reduced, removed or in any way favored or discriminated against in employment or opportunity for employment because of race, religion, sex, national origin, ethnicity, age, physical disability handicap, political affiliation or sexual orientation. Rule 1.03 also charged the Civil Service Staff with the development of an Annual Supplementary Affirmative Action Plan for Equal Opportunities (Annual Plan).

In July, 1977, the CSC established an Affirmative Action Advisory Committee, and Mr. Anderson has been a working member. The general purpose of this committee is to examine the Civil Service workforce data, determine underutilizations, and provide input to the Civil Service staff for the development of an affirmative action proposal. Membership on the Advisory Committee is composed of representatives of the following organizations, appointed by the CSC with the Mayor's Office's approval:

Latinos for Affirmative Action
United Filipinos for Equal Employment
Gay Coalition
Chinese for Affirmative Action
Bayview Hunter's Point Citizen's Council
Employment Project for Physically Handicapped
Chief Administrative Officer
City Employee's Union - Local 400
Mission Hiring Hall
Western Addition Project Area Committee
United Japanese Community Service
Advocates for Women
Commission on the Status of Women
Mayor's Office
Human Rights Commission

The Advisory Committee has been meeting regularly since July, 1977 both as a full committee and subcommittees, reviewing data, making recommendations and providing this input to the Civil Service staff for the drafting of an affirmative action plan. "The Supplementary Affirmative Action Plan" draft was submitted to John Walsh, General Manager, Personnel, Civil Service Commission in late 1977 for his review and recommendations..

-more-

n February 15, 1978, the Affirmative Action Advisory Committee met with Walsh o hear his recommended modifications. Also in attendance were Lillian Sing nd Darrell Salomon, Civil Service Commissioners. Walsh recommended pproximately thirty-five modifications to the proposed plan. His modifications ere basically clarifying and jurisdictional in character. He noted that all ctivities required in the departmental section of the plan to achieve the uggested goals must be achieved within the context of merit system principles nd procedures.

It was agreed that the Advisory Committee would have the opportunity o review and respond to Walsh's recommended modifications prior to the plan's ubmittal to the Civil Service Commission. However, this procedure was bandoned abruptly when the City was cited by the U.S. Office of Revenue haring for class action discriminatory employment practices, with a specific eadline to end such practices and develop an affirmative action plan. Mayor oscone requested Civil Service to expedite the adoption of the proposed Civil ervice Plan, in response to the federal agency's findings and recommendations. n March 15, the Advisory Committee was informed of this new course of action, ncluding the calendaring of the proposal for the agenda of the Civil Service eeting for March 20. The Advisory Committee took formal action in requesting he Civil Service Commission to postpone any action on the merits of the proposed lan and to allow sufficient time for adequate notification and review by the arious communities and other interested parties. This request was granted y the Civil Service Commission, which referred this matter to the Civil ervice Rules Committee (Salomon, Sing) for public hearing and recommendations o the full Commission. The CSC requested the Advisory Committee to recommend suggested format for the hearing.

On March 24th, the Advisory Committee forwarded to the CSC the following ecommendations in regards to a format for a public hearing on the Affirmative ction Proposal:

1) That a central committee meeting would be preferable to district community meetings.

2) That a letter be sent to community groups advising them of the availability of the complete Affirmative Action Plan for public viewing in City Hall; in addition, that copies of a 30-page narrative will be available.

3) That both verbal and written comments be requested from community groups, in addition to their attendance.

4) That there be adequate public notification of the time and location of the meeting.

5) That minutes be taken at the meeting.

6) The Advisory Committee restated its previous position that the full Civil Service Commission should be holding the hearing. Otherwise, that the two nonmember commissioners of the Rules Committee, be urged to attend the public hearing.

7) That the public hearing on the proposal be held no later than April 22, 1978.

-more-

The Advisory Committee is currently awaiting a response from CSC to these recommendations.

The proposed plan is formally titled "Supplementary Affirmative Action Plan for Equal Opportunities." The Plan contains 262 pages, divided into four sections:

I Introduction

States the purpose and objectives of the plan and its jurisdiction as assigned by Charter and Ordinance. This plan does not address employment issues such as "Rule of Three" selection, employee assignments, exempt employments, Equal Employment Opportunity agency compliance of contractors to the City, etc. The plan is progressive and cumulative in that each year an annual plan will be generated, as per Rule 1.03.

II Workforce Composition - 1976/1977

The workforce data reflects the 1977 composition of City employment by ethnicity/race, and sex, compared to the available San Francisco civilian labor force as reported in the 1970 U.S. Census. The data presented reflect comprehensive employment totals.

III General Procedures

Reviews, analyses and makes specific recommendations of current Civil Service programs in regard to their effect on the protected classes. Also, makes recommendations for new approaches and programs.

Specific areas covered:

A. Recruitment and examination
   -CSC staff and EEO/AA training
   -Basic work plan procedures for exams
   -Announcement and applications
   -Recruitment
   -Non Status employment-limited tenure and non civil service
   -Conduct of examinations

B. Classifications

C. General considerations
   -Training opportunities
   -Employment of the disabled
   -Gay employment
   -Sanctions for noncompliance

IV Departmental Utilization Analysis

This section addresses the issue of goals and timetables in each department and each classification. Civil Service Rule 1.03 states that the affirmative action objective will be a workforce which resembles the available qualified San Francisco labor force.

The Human Rights Commission is cognizant of the various efforts that have been made in the development of the Civil Service Affirmative Action Plan proposal. The Advisory Committee and Civil Service staff should be commended, Mr. Anderson said, for their role and efforts in accomplishing

this task.

Although the proposed plan cites or makes reference to many HRC concerns as related to the CSC in verbal and written form in March, 1977, the proposed plan in its current form contains inadequacies and omissions. The Advisory Committee has also acknowledged some of these same concerns in its March 28, 1978, letter to CSC, in reference to the proposed plan. The Human Rights Commission is fully aware of the various areas of specific jurisdiction held by the different components of government as prescribed in the City Charter.

Mr. Anderson then re-stated basic HRC concerns as follows:

1. The proposed plan deals only with employment matters mandated to the Civil Service Commission. The proposal is therefore not a City-wide plan, which the HRC considers essential. How will this plan relate to individual department plans?

2. Adequate resources should be provided to do monitoring and evaluation by a designated review body with the authority to impose sanctions for non-compliance, not merely report findings and recommendations. Investigations should be conducted and findings acted upon for violations of non-compliance with both Rule 1.03 and the Affirmative Action Plan.

3. The role of the Human Rights Commission as the designated monitor and evaluator of Rule 1.03 and the Plan needs additional clarification in in regard to the final adjusted plan, in addition to agreement from the HRC.

It was *****m/s/c that the HRC adopt Mr. Anderson's report in addition to the following recommendations:

1. That an HRC representative (Commissioner) attend the CSC hearing on the Affirmative Action Plan and present the HRC position.

2. That there be submitted to the CSC the HRC Priorities in Employment report section relating to Civil Service.

3. That the HRC advise the Mayor and the Community Services Committee of the Board of Supervisors of its concerns on this matter.

4. That the HRC urge community groups to participate in the CSC public hearing on affirmative action and meetings of the Board of Supervisor on this subject.

5. That HRC staff be authorized to evaluate the Affirmative Action Plan proposed before the CSC hearing.

- Commissioner Fine commended Mr. Anderson on his report, and thanked Commissioner Mezey for presiding at the recent Employment Committee meeting in his and Commissioner del Portillo's absence.

- Proposed Amendment to Chapter 16 of the City Administrative Code Requiring Departmental Affirmative Action Programs

Commissioners were provided with copies of a proposed Amendment (introduced by Supervisor Carol Ruth Silver) that would require City boards and departments to prepare and implement affirmative action plans in coordination

with the Civil Service Commission. As the proposed amendment now states, its introductory heading refers only to "...compliance with relevant federal and state law and guidelines." It also states the CSC should "...advise upon and review each affirmative action plan..."

Wayne Redus was asked to state the staff reaction to the proposed Amendment. HRC concerns, he said, are mainly that the HRC is nowhere mentioned in the proposed Amendment, nor does it refer to local laws or guidelines, in addition to state and federal ones. It would provide for annual workforce utilization plans as required by the legislation, the Fair Employment Practice Commission, the Equal Employment Opportunity Commission, "...or any other regulatory agency..."

In view of the HRC's long-standing mandate in the affirmative action, it was
*****m/s/c that the HRC meet with Supervisor Silver and her staff to express its concern that the Amendment be re-worded to include reference to local guidelines and the HRC's traditional and legal role as established.

It was also
*****m/s/c that the Chairperson be authorized to write to Supervisor Silver listing the HRC's specific concerns about the present wording of the proposed Amendment.

- Frank Anderson commented that there is a fractured City structure with many levels of authority in the field of affirmative action.

- Joint Committee Meeting

On May 4, the Youth & Education and Employment Committees will meet jointly from 11:30 A.M. to 4:30 P.M. to discuss affirmative action in employment in the San Francisco Unified School District, and affirmative action in student admissions.

The Employment Committee meeting will precede this joint meeting, at 10:30 A.M.; the Youth & Education Committee meeting will follow, at 4:30 P.M.

YOUTH & EDUCATION

Sister Mary Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Proposed Resolution on the Implementation of Multicultural Education

Commissioner Giles introduced the draft of this proposed Resolution stressing the urgency of multicultural education and its implementation in the SFUSD. She reviewed the separate paragraphs of the proposed Resolution and discussed the wording and the reasoning for it. She stressed the primary recommendations contained in the proposed Resolution calling for a timetable, for coordination, and for monitoring of implementation of multicultural education.

Commissioner del Portillo expressed reservations about citing specifically only the District's Human Relations Office and the Office of Curriculum on the proposed Resolution. She said she felt that there should

e wider bilingual education resource utilization in the preparation of urriculum for City-wide multicultural education.

Commissioner Solomon reported that in Youth & Education Committee iscussion on the proposed Resolution, a staff member of the Office of urriculum had been impressive in her emphasis on the long-range importance f meaningful and productive multicultural education integrated into the entire urriculum.

Gail Roberts stated that members of the Human Relations Office and ffice of Curriculum staffs already are working in this area, though they re in separate divisions of the SFUSD, and that the proposed Resolution calls or them to coordinate their work.

It was
****m/s/c that the HRC adopt the Resolution on Implementation of Multicultural ducation. Commissioners Herring and del Portillo voted no.

San Francisco Unified School District--School Leavers in the 1976-977 School Year - Report and Recommendations - Jose Robles, HRC Community iaison Worker

A report on school leavers was first done by the HRC, through staff, or the 1974-1975 School Year.

This report (and the two earlier ones) is based on data supplied by he San Francisco Unified School District. All 11 Senior High Schools are ncluded. Eight comprehensive senior high schools (Mission, Lowell, Galileo, George Washington, J. Eugene McAteer, Balboa, Woodrow Wilson, and Abraham Lincoln), Downtown Senior High School, John O'Connell School of Technology, nd Opportunity II Senior High School. The statistics were compiled from he report: School Leavers, Senior High Schools, School Year 1976-1977 by Yvon O. Johnson, Director of Planning and Evaluation Department, San Francisco Unified School District.

The concerns cited in the report for the 1975-1976 school year are similar to those specified in this report. This report also assesses whether HRC's February 24, 1977 recommendations were implemented by the School District.

The Human Rights Commission on February 24, 1977, adopted the follcwing recommendations:

1) That the School District authorize the folliwing studies:

   a) Determination of possible correlations between suspension and and school leaver rates, and whether students suspended in junior high drop out at senior high level.

   b) Exploration of the reasons for the high incidence of Black, Other White, and Spanish-speaking school leavers and a special study of the high proportion of American Indians who drop out (as indicated by 10 students leaving out of 54 enrolled).

   c) The extent to which the procedure for investigating those who leave without a transfer is followed at the shcool site.

2) That cumulative statistics of school leavers be kept for each graduating class.

3) That the reporting format for "school leavers - reasons unknown" category be extended to include the number of students who "dropped from sight" or whose follow-up was unsuccessful.

4) That the School District begin compiling statistics on the transiency rate at the junior high school level.

5) That the San Francisco Unified School District annual racial/ethnic survey of pupils be classified by male and by female, and

6) That educational alternatives which might reduce the frequency of drop-outs be encouraged.

The School Leavers Report for the 1975-76 school year was referred to r. George Karonsky, Coordinator, Student Services, who recommended that a ask force be formed to study the HRC's recommendations and report following ompletion of the work of the Task Force on Suspensions. Dr. Karonsky's ork on suspensions and a task force to study school leavers has yet to be onvened.

There were two tangible outcomes from the HRC recommendations: One was hat the SFUSD's racial and ethnic estimates of students attending San rancisco public schools issued by the Supervisor, Office of Human Relations, eported the male and female composition of each school. However, this was ot broken down by each ethnic group within each school or in the divisional ummary. Thus, the comparison with the school leavers statistics is difficult. he second HRC recommendation accomplished was the compiling of statistics on he transiency rate at the secondary level, which includes high schools.

A "School Leaver" is defined by the San Francisco Unified School District s "a student leaving high school before graduation under conditions which ead school site personnel to expect that he or she will not engage in further ormal schooling in the near future".

For reporting purposes, school leavers are classified into the following ategories:

1. Reached 18 - Students are no longer required to attend school. The District is no longer obligated to enroll such students.

2. Were Exempted - Did Not Return - Exempted is requested by the parent or guardian and such action is approved by the Bureau of Attendance and the Student Placement Committee.

3. Full-Time Employment - Students must be at least 16 years old and have parental consent. Such action must be approved by the Attendance Office.

4. Enlisted in the Armed-Forces - Students must be 17 years of age and have parental consent.

5. Marriage - Once a student is married, he or she is considered an emancipated minor and may legally leave school any time.

6. Expelled - Students are removed from local schools for an indefinite period of time; such action must be approved by the Board of Education.

7. Did Not Graduate - Twelfth grade students who have failed to graduate with their class and have reached the age of 18.

8. Truant - Students who have been excessively truant and who have not responded to any type of counseling or alternative program.

9. Left Without Transfer - Students under 18 years of age, who have left the District without seeking a transfer form to another school district. The SFUSD presumes that a high number of these students will re-enter school in another school district.

One should note that the statistics presented in the report are for the school year only and do not contain cummulative data for each graduating class. School leavers in the elementary and junior high level are not included in any of the statistical reports. The School District generally assumes that a high percentage of those students will enfoll in another district.

Out of a total 1976-1977 enrollment of 21,715 senior high school students, 751 (3.5%) left school after reaching the age of 18; 173 (0.8%) were exempted from school and did not return; 28 (0.1%) took a full-time job; 41 (0.2%) enlisted in the Armed Forces; 5 (0.1%) left school as a result of marriage; 3(0.1%) were expelled; 35 (0.2%) did not graduate with their class after attaining the 18 years of age; 10 (0.1%) were truants. The above total is 1,046 students (4.8%) of all school leavers, reasons stated. An additional 1,790 students (8.2%) left the school without transfer.

Greater detail on school leavers for all senior high schools, reasons unknown, was reported by Mr. Robles in table form, including a break-down by number and percentages and ethnic enrollment data, categories of school leavers with reasons stated, and those who left with reasons unknown. Mr. Robles also made a comparison of suspension data versus school leaver data by ethnic classifications for all high schools. Also provided was comparison data of school leavers by ethnicity and sex (1975-1976) and for the school year 1976-1977 for the senior high schools.

Another table contains composite charts of individual high schools. It includes ethnic enrollment data, and school leaver data with reasons known and unknown. Also shown is the percentage of school leavers by school sites.

The February 24, 1977, report on suspensions for the 1976-1977 school year indicated that almost two and one half times as many junior high school students were suspended as were senior high school students. While more than one factor is involved, students dropping out of school at the senior high level are certainly a significant factor, Mr. Robles reported.

Another statistic singled out for attention was the 100% increase in female school leavers from 1975-1976's 478 (in senior high schools), to 1976-1977's 834.

Mr. Robles commended the staff of the San Francisco Unified School District, particularly the Office of Student Services; Dr. George Karonsky, Coordinator of Student Services and Mr. Howard Clay Supervisor, Attendance Services for their leadership in revision the record-keeping procedures and format for school leavers, for developing reliable statistics, and, more importantly, for addressing the significant problems inherent in "School Leavers, Reasons Unknown."

It was
*****m/s/c that the HRC accept Mr. Robles' report.

And it was
*****m/s/c that the HRC adopt eight recommendations:

1. That the San Francisco Unified School District investigate the high incidence of Spanish-speaking school leavers.

2. That the SFUSD investigate the sizeable increase, for 1976-77 compared to 1975-76, in school leavers for reasons unknown, particularly among females.

3. That the SFUSD's annual racial/ethnic survey of pupils be classified by male and by female for each ethnic group in each school.

4. That the SFUSD utilize existing services including the Student Attendance Review Board and expand pupil services in order to combat the alarming truancy and school leaver statistics.

5. That the SFUSD mandate consistent record-keeping procedures in compiling attendance and truancy data, and that these procedures be uniformly followed at each school site.

6. That the SFUSD determine the accuracy of the Left Without Transfer (LWT) statistics by methods such as correlating the claimed pupil cumulative folders with the unclaimed folders and by comparing the LWTs to the EWTs (Entered Without Transfer).

7) That the SFUSD study the correlation between excessive truancy and school leavers; and

8) That the District's Office of Student Services establish a broad-based task force to study the problems associated with school leavers.

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Status Report on Proposed Anti-Speculation Ordinances - Don Hesse, HRC Housing Representative

Three anti-speculation ordinances, proposed, respectively, by Supervisor Quentin Kopp, the Mayor's Office (this has not yet been announced in final form), and the San Francisco Housing Coalition, were discussed at a March 29 meeting of the Finance Committee of the Board of Supervisors. An overflow crowd attended.

After much discussion, Supervisor Kopp tabled his own ordinance, on the basis, in part, that "the market had taken care of speculation", and that much of it stemmed from the flow of foreign investments into this country and City. Commissioners Maxwell and Solomon were among the speakers. He refused to allow Supervisor Milk to introduce the Coalition ordinance at that time. He asked that the U. S. Congress be "memorialized" to restrict foreign investments.

Mr. Hesse said that there is a general agreement that foreign investments coming into San Francisco are for long-term investment, not for quick turn-over speculative purposes.

Supervisor Milk did introduce the Housing Coalition ordinance. It has not yet been assigned to a Board committee by Board of Supervisors President Dianne Feinstein.

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The Mayor's Office is meeting (April 13) with members of the Housing Coalition to discuss his position on speculation control, but he is certain, Mr. Hesse said, to submit his own anti-speculation ordinance, similar to but not, perhaps, as stringent as the Housing Coalition's.

NEW MATTERS

Manpower Planning Council Revision

As a result of Commissioner concerns about the HRC's ex-officio position on this body (as revised) being one without a vote, the Chairperson referred review of the structure of this Council and recommendations to the Social Programs Committee.

Commissioner Mezey suggested preparation of a letter setting forth specifically the HRC's concerns about its low level of funding for the next fiscal year.

Chairperson Yamakawa reminded Commissioners that they are obligated to submit their Conflict of Interest forms during April to the Director.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, April 27, 1978, at 9:15 A.M. in the Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, May 4, 1978 10:30 A.M., followed by joint meeting with Youth & Education. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, May 2, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Wednesday, May 3, 1978 9 A.M. HRC Offices Room 509 1095 Market Street - San Francisco
Police Liaison	Tuesday, April 18, 1978 4 P.M. Lurie Room, Main Library Civic Center - San Francisco
Social Programs	Wednesday, April 19, 1978 10 A.M. HRC Offices, Room 509 1095 Market Street - San Francisco

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Youth & Education

Thursday, April 20, 1978 3:30 P.M.
Thursday, May 4, 1978 4:30 P.M.,
following joint meeting with
Employment Committee
Grace Cathedral
Cathedral House Library
1051 Taylor Street - San Francisco

10 REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

GM: JC:klh (4/19/78)

CITY AND COUNTY OF SAN FRANCISCO

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street
Suite 501
San Francisco, California 94103
Telephone 558-4901

RESOLUTION AUTHORIZING ESTABLISHING "FRIENDS OF THE HUMAN RIGHTS COMMISSION

WHEREAS, the Human Rights Commission has a mandate pursuant to Chapter 12A.5 of the Administrative Code to "prepare and disseminate educational and informational materials relating to prejudice and discrimination and ways and means of eliminating such prejudice and discrimination";and

WHEREAS, the mandate urges the HRC to "furnish cooperation, information, guidance, technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination";and

WHEREAS, the HRC may "form such special committees....as are necessary to assist the Commission in the solution of specific problems within the scope of its responsibilities," and such a committee could aid the Commission in solicitation and attainment of public and fiscal support in furtherance of its objectives;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission authorize the Administrative Committee to pursue the establishment of "Friends of the Human Rights Commission" to fulfill the objectives enumerated in this Resolution.

Resolution #4-78
Adopted by Human Rights Commission April 13, 1978

4/18/78pa

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, California 94103
Telephone 558-4901

RESOLUTION ON IMPLEMENTATION OF MULTICULTURAL EDUCATION

WHEREAS, the Board of Education approved Resolution #311-27A1 on multicultural education on November 27, 1973; and

WHEREAS, the Board of Education adopted a policy to provide comprehensive multicultural education coordination of existing services and involvement of administrative and on-site staff; and

WHEREAS, the Educational Redesign is committed to a setting in which education is multicultural and multi-ethnic content is included in all aspects of the curriculum at each elementary and middle school grade level and multicultural studies in high schools; and

WHEREAS, the Educational Redesign is committed to schools openly accepting and affirming the cultural, ethnic, and linguistic characteristics of a racially and ethnically-integrated student population; and

WHEREAS, the Human Rights Commission of San Francisco endorses the principle of cultural pluralism which accepts the uniqueness of individuals and groups, which allows for balance between identification with a small group and commitment to the society as a whole, and in which individuals who do not wish to identify with any group are equally accepted; and

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco urge the San Francisco Board of Education to reaffirm Resolution #311-27A1 on multicultural education adopted 11/27/73; and

BE IT FURTHER RESOLVED that a precise timetable and overall coordination be established as directed in Resolution #311-27A1; and

BE IT FURTHER RESOLVED that the coordination of existing services mandated by Resolution #311-27A1 include cooperation between the District's Human Relations Office and the Office of Curriculum; and

BE IT FURTHER RESOLVED that the involvement of administrative and on-site staff specified in Resolution #311-27A1 be mandated; and

FINALLY, BE IT FURTHER RESOLVED that the Superintendent of Schools establish mechanisms for implementation and site teams to monitor implementation.

Resolution 5 - 78
Adopted by HRC 4/13/78

JC:bct
4-18-78

H80
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4/27/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of April 27, 1978

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* NEXT MEETING: Thursday
* May 11, 1978
* 9:15 A.M.
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* Commission Room, Third Floor
* Main Library, Civic Center
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

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ROLL CALL

MAY 10 1978
DOCUMENTS DEPT.

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W. R. Drummer, Rabbi Alvin I. Fine, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Sister Mary Bernadette Giles, Antonio Grafilo, Caryl Mezey, Dan Silva.

Staff

Present: Grant S. Mickins, Pauline Anderson, Jack Casford, Chester Chew, Lloyd Cowan, Jo Daly, Luis Escobar, Alberta Grant, Don Hesse, Stanley Lim, Joe Meza, Vicky Rathbone, Wayne Redus, Jose Robles, Gail Roberts, David Treanor, Ed Vurek.

Pledge of Allegiance

Minutes of April 13, 1978 approved.

CORRESPONDENCE

- From U.S. Senator Muriel Humphrey, enclosing a copy of the revised Humphrey-Hawkins Full Employment and Balanced Growth Act, S. 50, which she and 26 co-sponsors introduced in the U.S. Senate on February 23, 1978.

- From Mayor George R. Moscone, a copy of his April 13, 1978 letter to the Board of Supervisors outlining his City budget recommendations, which included no increase in permanent Civil Servants with the exception of 133 new positions in protective services (Police--116 new positions---, Adult Probation, District Attorney, Fire, Juvenile Court, etc.).

- From Mayor Moscone, a request, sent to all City departments, to hold intra-departmental meetings with employees to discuss the projected cutbacks in jobs and services which the City might be compelled to initiate should Proposition 13 be approved.

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- From Bill Hartman, Trustee, San Francisco Bay Times, Inc., requesting HRC endorsement of its public education program with its current primary objective of improving communications among lesbians, gay men, and the larger community. See Gay Advisory Committee report in these Minutes.

- To John J. Walsh, General Manager, Personnel, Civil Service Commission, a letter from Director Mickins expressing concerns over the CSC position (as reflected in Mr. Walsh's memorandum of April 10) on Proposed New Rule 32-Lay-Off. Director Mickins wrote that proposed Rule 32 may have "....a devastating adverse effect on the protected classes of Rule 1.03, cancelling out major affirmative action gains...."

Director Mickins reported that Frank Anderson of the HRC staff has been surveying contingency plans being made by civil service departments in Los Angeles, Alameda, and Marin counties for layoffs if the Jarvis-Gann Initiative (Proposition 13) should pass in June. On the basis of this survey and the HRC's concerns about the effect of strict seniority layoffs on minorities and women, the Director and Mr. Anderson met with members of the CSC management staff and pointed out other jurisdictions whose plans seek to soften the impact of these layoffs, would have on the minorities and women who have achieved entry-level and promotive positions only within the past ten years. The HRC hopes to recommend to CSC an alternative contingency plan for use if San Francisco has to make substantial personnel layoffs post-Jarvis-Gann passage. Mr. Mickins responded to Commissioner Morrissey's question about the use of performance evaluation as a basis for layoff by stating that since the City has not yet completed its performance evaluation of all employees, this method was not being considered presently by the CSC as part of the layoff decision process.

- From PLENTY/Volunteer Bureau of San Francisco, announcing a Walk-a-thon for Saturday, May 6, to "earn" money for PLENTY, a charitable organization working in health care, nutrition, agriculture, and food technology for the poor in the U.S. and Central America. The walk begins at Fort Mason. The Volunteer Bureau is at 33 Gough in the City, telephone 864-4200.

- To Supervisor Dianne Feinstein, the formal expressions of condolence from the HRC and its staff on the death of her husband, Dr. Bertram Feinstein.

- From . James R. Campodonico, Secretary/Treasurer, Pepsi-Cola Bottling Company, enclosing information about a summer youth music and arts project. Commissioner Maxwell is a member of the planning group for this project.

- From Robert F. Alioto, Superintendent of Schools, inviting Gail Roberts of the HRC staff to membership on a newly-established Task Force on School Environment (school safety).

- From A. Robert Singer, a member of the law firm of Hassard, Bonnington, Rogers & Huber, to Stanley Lim, HRC Contract Compliance Representative, asking reconsideration and withdrawal of the HRC's complaint filed against the firm's client, Swinerton & Walberg Co., for noncompliance with Chapter 12B of the San Francisco Administrative Code. Swinerton & Walberg Co. is a contractor to Northpoint Pier, Inc., a development project on the City waterfront. Mr. Singer wrote that his client entered into a private contract for private services with Northpoint Pier, Inc. and that the HRC has no authority to proceed against them.

Two guests of the HRC were introduced:

- Mrs. Sadye Solomon, mother of Commissioner Donna Solomon.

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- Mr. Ira Katz, new Affirmative Action Officer for the Hyatt-Regency.

DIRECTOR'S REPORT

- HRC Budget Hearing

The Director, Commissioners Yamakawa and Mezey, and staff attended the April 14 meeting of the Finance Committee of the Board of Supervisors. The requested HRC budget had been analyzed and recommended by a member of the Office of the Budget Analyst, who had expressed the view that he felt, given the HRC's legally-mandated workload and functions, that the HRC was greatly under-financed at its present level. The Mayor's Office staff had recommended an HRC budget essentially identical to the previous fiscal year's----1977-78 Fiscal Year: $332,120; 1978-79 Fiscal Year recommendations: $334,303. There were minor increases in allowances for materials, supplies and operating expenses; no personnel increase requests were approved.

The Finance Committee did approve the HRC budget on Sunday, April 16 and it will be part of the total City budget to be acted on by the full Board of Supervisors by May 15th and effective for July 1, 1978.

- National Secretaries Week

In recognition of the contributions to the work of the HRC by the members of the HRC's secretarial staff (Pauline Anderson, Karen Hill, Marian How, Grace Markham, Liz Muoa, Blanca Torres, and Denise Washington) it was

*****m/s/c that a formal letter of commendation be sent to them.

STANDING COMMITTEES

SPECIAL ORDER

- Mrs. Tamar Eshel, a member of the Knesset (the Parliament of the State of Israel), was a guest of the HRC. She was introduced by Commissioner Solomon. She has been prominent in Israeli political and social affairs for many years in both the private and public sectors. She has been a member of the Permanent Mission to the United Nations, a delegate to the World Health Organization Assembly and to the Human Rights Commission, and a delegate and later Chairman of the U.N. Commission on the Status of Women. She is a member of the Jerusalem Municipal Council, and of the Executive Committee of the Histadrut, the Central Committee of the Israel Labour Party.

Mrs. Eshel Addressed the HRC for approximately an hour. She commended the HRC for its work in the field of human rights, and stated that the issues of human rights and dignity are ones common to all people. She described the work of the Israel Commission on the Status of Women and its recommendations for change. She gave a general outline of the governmental structure of Israel dating from its official beginning in 1948. Mrs. Eshel answered questions from various Commissioners on: the reasons for the economic and social achievements of the State of Israel; policies regarding the aging in that society; positions on the rights of homosexuals; resources for the protections of rights against discrimination; alleged discrimination

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against Sephardic Jews by Western European Jews, etc. On the latter point (aquestion from a member of the audience to her) she said, "I can say without any hesitation that the word 'discrimination' is misused in this context, but on the other hand I can say that the facts show that there is a social educational gap between Jews who have come from Asian and African countries, mostly Moslem countries, and people who have come from a European background."

Mrs. Eshel was thanked for her visit by the Chairperson.

STANDING COMMITTEES

SOCIAL PROGRAMS
Sylvester Herring, Chairperson

- Proposed Resolution on Proposition 13 (Jarvis-Gann Initiative).

The text of the proposed Resolution Opposing State Proposition 13 (Jarvis-Gann Initiative) was read by Commissioner Herring.

Commissioner Morrissey distributed copies of 1. A New York Times article of February 20, 1978, headlined "Hidden Dangers in the Ethnic Revival," 2. The April 25, 1978 editorial from The Wall Street Journal headlined "The Jarvis-Gann Proposition," which questioned the effectiveness of the proposition in tax reform in California, and 3. An Analysis paper "Prop. 13 vs. Prop. 8/SB 1," published by Cal-Tax, 921 11th St., Sacramento.

Commissioner Morrissey then asked if both pro and con material on Proposition 13 had been considered by the Social Programs Committee. Jack Casford, staff for the Committee, showed copies of material he obtained from the San Mateo County Committee for Proposition 13, and pointed out that at least one member of the Committee had spoken from the point of view of a homeowner on property taxes. He showed also material including an analysis by a professional financial consultant on the possible effect on the City's bond creditworthiness, and an article based on an Assembly Revenue and Taxation Committee report pointing out exaggerations on both sides of the issue.

Commissioner Morrissey noted that the state of New York has had a property tax limit for many years; that high-income people will benefit less (from an income tax aspect) from Jarvis-Gann because their (property) taxes allowed as deductions will no longer be so high; that the proposed proposition shifts the larger burden of taxes from persons owning substantial investment real estate to those actively participating in commerce; that there is evidently great interest throughout the state in the Jarvis-Gann approach to tax reform from the fact more than a million persons signed initiative petitions; and that it (Jarvis-Gann) would force all agencies to review their priorities for expenditures.

- No one from the audience responded to the Chairperson's invitation to speak either for or against Proposition 13.

- A motion by Commissioner Morrisey to change one word ("inevitable" to "probable") in the proposed Resolution was defeated 9 to 2..

It was then

*****m/s/c that the HRC adopt the Resolution Opposing State Proposition 13 (Jarvis-Gann Initiative). The vote was unanimous. The full text of this Resolution is attached to these minutes.

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- Commissioner del Portillo asked that the Minutes record that she had taken time off from her work with the San Francisco Community College District to attend this meeting and vote on this Resolution.

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson
Vernon Alley, Co-Chairperson

- Design Group Affirmative Action Report

Vicky Rathbone, Essie Thomas, and Ed Vurek, who make up the HRC's Design Group, are the authors of a detailed report on their work implementing affirmative action under Chapter 12B with architectural and engineering firms in, primarily, the Yerba Buena Center and Wastewater projects.

What follows is taken from their written report, which is accompanied by statistical charts not included in these minutes. Copies of the Design Group Affirmative Action Report may be obtained by contacting members of the Group at the HRC offices.

Mr. Vurek led off the presentation to the HRC.

The HRC's involvement with design firms originated in 1971 when the Yerba Buena Center project seemed to be underway. Contact was established with architectural and engineering firms regarding affirmative action efforts. The Yerba Buena Center project was delayed by the filing of many lawsuits. The HRC's contact with design firms was again given high priority with the start of the Wastewater Project in 1976. This project will last 8 to 10 years, involving $1.5 billion in funds for design and construction, and will provide San Francisco with a completely new sewer system.

The numerous Wastewater contracts for design and environmental studies created the meed for a Design Group to implement affirmative action with the firms. In addition to the Wastewater project, design of the Yerba Buena Convention Center and Exhibition Hall was started again in late 1976. The Group also learned of projects of other City departments involving design firms, including the International Airport, Port and the City's three major museums.

The Design Group begins its work when firms submit proposals for projects to the City's department making contract awards. The Group reviews initial employment data received as part of the proposal and rates the firms according to affirmative action criteria. Staff attends pre-selection and final selection interviews to explain the HRC's function and elaborate on its expectations. When a firm is finally selected for the job, staff meets with representatives of the selected firm to negotiate an acceptable affirmative action agreement. The agreements have included:

1. General statements of nondiscrimination in accordance with Chapter 12.B

2. Agreement to disclose names of all sub-contractors and to inform sub-contractors of their obligation to comply with Chapter 12.B

3. Expand recruitment efforts by using minority and female referral services and news media on a regular basis.

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4. Specific goals for hiring of minorities and women.

5. Specific goals for business participation by minority and woman-owned businesses.

6. Agreement to utilize existing training programs and establish other training measures.

7. Reporting requirements during the term of agreement.

The contents of agreements are not restricted to these elements if additional measures are deemed necessary.

The Group then monitors compliance with the terms of the agreement by means of the reporting system and/or on-site visits. If a firm, after a reasonable period, exhibits difficulty in implementing its Agreement, the Group will outline the problem areas and meet with representatives of the firm. Unless a suitable remedy is established and followed, the firm would face noncompliance procedures. The result could be cancellation of the contract, ineligibility to receive City and County contracts in the future, and fines.

This report concerns compliance efforts in the area of employment with design firms as of December 31, 1977, a study of the sources of minorities and women in the design professions, and a description of the expanded training component in HRC affirmative action agreements.

The HRC currently has affirmative action agreements with 18 prime contractors and one sub-contractor. These firms are doing work on the Wastewater Project, the Yerba Buena Project and on other City and County projects.

They are required to report monthly on employment and sub-contracting activities. These reports are evaluated to determine compliance with the agreements. Primary emphasis is on achievement of goals, with secondary consideration of evidence of good-faith efforts in reaching goals. Also evaluated are the firm's recruitment efforts, commitment to training, and timely reporting. Seventeen of the nineteen firms with agreements have been monitored for six months or more, the minimum time for assessing overall compliance with the affirmative action agreement.

Fifteen of the seventeen firms are meeting their goals or, at least at this point, indicating from the reports that goals can be achieved. The Design Group has met with the two other firms to work out closer evaluation and specific compliance steps.

A more general problem of possible noncompliance occurs in the area of recruitment and applicant flow. We have noted that even when firms are meeting or exceeding goals, the source of applicants remained predominantly "unsolicited resume" and, predictably, largely white male. The problem with accurately assessing the reason for this is that current report forms include applicant flow. That is, the applicants that apply and the source. To determine compliance with the agreement's recruitment provision, the HRC has to know of all contacts with agencies and media, and the result. This will allow an in-depth survey of a firm's efforts. An additional monthly report form will provide this information. The applicant flow situation may also be the result of a diminishing pool of minority and women professionals.

Since the applicant flow has remained predominantly white male, the reasons for success in hiring more minorities and women include modified selection procedures, and the use of current minority and women employees

and minority and woman-owned firm as referral sources. While firms are not receiving greatly increased numbers of minority and women applicants, they are paying increased attention to their qualifications and potential, and hiring more.

In addition to the firms with agreements, the Design Group monitors the monthly or quarterly reports of 30 sub-contractors on design projects. The HRC currently does not have specific agreements with them for many reasons, including size of contract and/or company. Some are minority or woman-owned with predominantly minority or female workforces. The HRC does receive and monitor reports to note any changes that might require negotiation of a specific agreement. The specialties of these firms include engineering, architecture, soil testing, environmental study, landscape design, transportation planning, social impact planning, and urban design.

The total of 49 firms being monitored, in one form or another, is an increase of 17 since the Design Group's last report. There has been an increase in the total workforce from 330 in June of 1977 to 1,086 in December of 1977. Some figures come from firms recently involved in affirmative action monitoring. Even so, overall minority participation increased from 23% (June 30, 1977) to 27.3% (December 31, 1977). Minority women above the clerical level increased from 2.8% to 5%. Overall the increase for minorities at the professional level was 14% to 19.6% and minority participation at the technical was maintained at a high rate, 51.7%. Among individual minority groups Chinese participation increased from 4.5% to 9.9%. This is understandable as Chinese are the predominant minority group in these professions. There were also increases among Blacks (6.1 to 6.4%) and Spanish-Origin (3.6 to 4.2%). Minority representation at the managerial level decreased from 10% to 8.3% with the addition of the new companies. Persons listed at the manager level are most often owners or partners. However, this situation will cause more focus on the issue of promotion in future negotiated agreements.

The problem that requires renewed attention is participation of women. There were decreases at all levels except the technical. The overall decrease was 25% to 21.4%. Development of sources of women in these fields will have a high priority. There is not a sizable pool of women available, but that situation is changing in the schools and should have great effect in the next few years.

The firms with affirmative action agreements generally have complied with the goals set for them. The major noncompliance problems have been procedural. The Design Group will concentrate on tightening these compliances with these procedures during the subsequent report periods.

At this point, Ms. Rathbone began her section of the presentation. Ms. Thomas was ill and unable to be present at this presentation. This section centered on changes in the rate of entry of women and minorities into the design professions. Statistics on enrollments and graduations in architecture and engineering from professional schools are compared to current labor force estimates of employed architects and engineers. This leads into the affirmative action steps being undertaken at the high school anc college level to help bring about change. The aim is to provide a perspective from which to view the first section of the report, and to give background which leads to the new affirmative action directions described in the final section.

Current statistics indicate that minorities and women are entering both professions in substantially higher numbers than at the start of the

decade. Particularly striking is the increase in enrollments of women in engineering.

In 1974, the Engineering Manpower Commission estimated women made up less than 1% of all employed engineers, and in that year they received less than 2% of all engineering degrees awarded in local schools. Throughout the decade however, women have been enrolling in engineering in increasingly greater numbers. By 1976, women made up more than 10% of enrollments in Bay Area schools, an increase of 7% in four years. They received over 5% of all engineering degrees awarded that year.

Another point of interest is the large number of Asian students in both architecture and engineering in the Bay Area. Because of the large local Asian population, the number of minorities receiving architecture and engineering degrees in both disciplines is much higher locally than nationwide. For example, Asians received 17% of all engineering degrees awarded by local schools in 1976, as against 3% nationwide. This gave a total of 21% of engineering degrees awarded to minorities locally as against a nationwide figure of 7%. It seems probable that a similar disparity exists in labor market statistics. The Engineering Manpower Commission's national estimate of 3.4% employed minority engineers could be near 17% in the Bay Area.

The number of degrees awarded to both Black and Spanish-Origin students in architecture and in engineering remains very low, as do estimates of the number of employed Black and Spanish-Origin architects and engineers. Both Black and Spanish-Origin engineers are estimated at less than 1% of the total workforce and less than 2% of engineering graduates. The number of Black and Spanish-Origin students enrolling in engineering is increasing slowly, from 2% to 2.5% at the University of California, Berkeley, over the last year. Thus no dramatic increases can be expected in their presence in the workforce, as with women engineers.

Finally, it should be pointed out that architecture appears to have been a more open field than engineering.

Even in the 1970 census for Northern California, nearly 4% of architects were estimated to be women. In 1976, women received 30% of local architecture degrees, an increase of 10% in 3 years.

Minorities received 26% of the local architecture degrees in 1976. While over half of these were awarded to Asians, nearly 4% went to Black students and over 8% to Spanish-Origin students. The increase from year to year for these groups, however, is minimal. Blacks probably still represent less than 2% of the relevant workforce. Architects of Spanish Origin probably still represent only around 7% of all local architects.

During the 1960s, a research study called Project Talent was undertaken. High school seniors who planned a career in engineering, and who were considered to have the potential, were the subject of a follow-up study 6 years later. 75% of the men were engineers, as they had planned. However, only 25% of the women had actually entered the field. Most of the others were employed in job-related occupations, such as computer programming. There seemed to be a definite tendency for women to end up with less prestigious and lower-paying jobs.

Similarly, the same study asked high school juniors to take a test which predicted their potential for success in science. Of those who did well on the test, 5.5% of the men were working in a related field 11 years later. The equivalent figure for women was one-eighth of one percent.

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Stereotyping is obviously largely responsible for both sets of figures. Women are discouraged from studying to enter a field where they are notoriously and traditionally under-represented.

The same is true for some minority groups, particularly Blacks and persons of Spanish Origin. Almost none of the Blacks in Project Talent had science-related jobs 6 years later. Moreover, only 3% of Black students scored as high on Project Talent's science potential test as the mean of students who had successfully established a career in science.

Local professional schools have taken various affirmative action steps to help bring about change. The most important of these is the MESA (Mathematics, Engineering, Science Achievement) program. The MESA program began in Berkeley, financed by various foundations and several large corporations. Success has led to a 5-year grant from 2 large foundations, while the program has been expanded to include all professional schools in the State. Members of the faculty from each university contact 3 or 4 local high schools. There, they bring together a group of students expressing interest in math and science who become members of the program rather as they would join a club. After-school activities provided include field trips and tutorial programs. Special coaching in subjects important to success in a scientific career is provided by students from the university (often graduates of the MESA program themselves). Advice is given on the courses to take in order to pursue a career in science, and the participants are encouraged to try to become honor students. Incentive scholarships are provided to defray the costs of a university education. To qualify for a scholarship, a student must enroll for a Bachelor's degree in engineering and graduate from high school with at least a B grade average in Math, Science and English.

Berkeley also arranges for peer group visits to local community colleges to encourage minorities to transfer to Berkeley to complete their engineering degree. Large numbers of students transfer in this way every year.

The University of California, Davis participates in the MESA program with a 1-week summer program for minority and disadvantaged high school students designed to give the students a taste of campus life and expose them to the work of the engineering department. Last year the program involved 31 students, one-third of whom were women. It was so successful that it will probably expand in the future.

In addition, Davis has an Equal Educational Opportunity Program. The Chancellor has 4% of all admissions at his discretion. 3% are reserved for minority and disadvantaged applicants. Some of those may have opted for a degree in engineering.

Stanford Engineering School is developing a MESA type program and plans to get involved in community college recruitment.

There are also several programs to help minority and women engineering students once they have enrolled. U.C. Davis is developing a program to increase the number of minority graduates. It will involve special recruitment efforts and financial aid. Stanford has an Affirmative Action Committee. It includes representatives of Black, Chicano and women's groups and faculty advisors. They have developed a 'buddy' system for new minority and women engineering students. They also undertook a study analyzing the reason for the high fatality rate of women in Math, and examining possible corrective action. Funding for scholarships, especially at the graduate level, is sought after. Finally, they hold an annual Job Fair for minority

-more-

and women students. Last year's was so successful that 56 companies have been invited this year, including some from the East.

The most important problems for employed minority architects and engineers seem to be salary and advancement. In 1974, the average annual salary for male engineers was $20,000 as against $15,000 for women. For architects, the gap was even wider, averaging out at $9,000 Women earned around $14,000 a year as compared to $23,000 for male architects. The number of years of work experience inevitably works against women, as they are relatively new to the field. Far fewer women than men are employed in management positions with the highest salaries. The same is true for women in architecture. There is also evidence that women suffer from discrimination in salary distribution. The American Institute of Architects published figures in 1974 showing that a male employee, - - for example, with 12 years of experience, would earn approximately $22,000. A woman with the same amount of experience could expect to earn only $16,000. Nearly all women respondents to an HRC questionnaire including an item on discriminating treatment complained of both salary discrimination and lack of opportunities for advancement.

Employers with whom HRC staff is working have been most successful in increasing the number of minorities and women technicians in their firms. The earning gap may well be a reflection of newness to the field and relative lack of experience. It points to the possibilities of affirmative action steps in relation to promotions, part-time work, and scholarships to return to school.

Hiring and promotional goals, and attempts to encourage employees as well as high school and university students to pursue their education in these fields would all seem to be an essential part of the affirmative action effort in the architectural and engineering professions. Current statistics are encouraging locally. However, it is certain that affirmative action has an important role to play in insuring that companies benefit from full productivity of minorities and women in these highly-specialized, highly-prestigious and highly-renumerative labor markets.

The Design Group plans to expand the training component of affirmative action agreements. Some elements involve firms and schools in conjunction, and other elements require implementation by the firm. Not all elements would apply to all companies. The extent of the commitment will depend on many factors including size of the company and contract amount.

The original HRC design affirmative action agreements required participation in the Engineering Societies' Committee on Manpower Training (ESCMT) program. The Committee is made up of representatives of firms in the design field, including both architects and engineers. The program includes training for occupations in the design field and scholarships to technical programs. The member firms often provide technical assistance in the training situation. ESCMT will place a screened trainee in a firm and reimburse the firm for part of the trainee's salary. ESCMT staff also will serve as counselors to trainees. Other ways forms can participate include loaning of professionals to the program and contributing to the scholarship fund.

The relationship of the HRC and the ESCMT goes back to 1972 when the original work with design firms began. At that time, it was expected that YBC would soon be underway. When that project was delayed, work with design firm became very limited until the massive Wastewater Project began. In those early years participation with the ESCMT program was virtually the only requirement for affirmative action. At that time, relatively little was known

about the availability of minorities and women in the design field.

Over the years, ESCMT has proven successful in its task. A large percentage of its predominantly minority trainees has completed training. Companies usually offer a successful trainee a job upon completion. Many trainees choose to enter professional school full-time and others combine further schooling with part-time work at the firm. Most ESCMT trainees are drafters.

An additional service ESCMT can provide on a limited basis is referral of graduates and experienced professionals. They receive resumes, and several companies have hired persons referred by ESCMT. As an example of the success of this type of training, during the period of this report (July 1 to Dec. 31, 1977) 28 trainees were listed on monthly report forms, almost all ESCMT. Of the 28, 7, or 25% were women (3 were Black). This is a higher rate than in the professions, but deserving of priority attention to increase. The total minority participation was 22 (78.6%), of which 15 (53.6%) were Black, 2 (7.1%) Spanish-Origin, 1 (3.6%) Chinese and 4 (14.3%) Filipino. This record speaks to one of the major problems; under-representation of Blacks in the Design fields.

The Design Group will be moving to greatly increase participation in the ESCMT program in 1978. It is a proven mechanism; and, as previously noted we have many more firms to monitor as 1978 begins.

While ESCMT has for some time been the training element in design agreements, several other elements have been established that can be utilized. Two factors involved in this modification are the realization that not all firms can use ESCMT and the importance of training in getting more minorities and women into the professions. The first time the expanded training component appeared was in the Wastewater Construction Management (CM) Agreement. The Design Group felt that the CM, having a large staff, a long contract and supervision of the entire project, could implement many more training situations. The following elements were included:

a) The firm will locate a minority or a female student at the high school or college level, exhibiting interest and potential in construction management and provide services which will include:

   1) Summer and part-time employment.

   2) Scholarship assistance through a college or a professional school.

   3) an offer of full-time employment upon completion of school program.

b) Provide employment for summer interns, high school snd college age, with emphasis on minorities and women.

c) Institute individual programs of tuition reimbursement for current full-time employees, and to assist them in selecting both fields of work and appropriate classes.

d) Develop an internal affirmative action training program for supervisory personnel to insure effective implementation of the firm's affirmative action program.

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e) When possible, one or more ESCMT trainees will be hired based on discussions between the firm and ESCMT staff.

The level of involvement with ESCMT will be based on the firm's ability to participate, and ESCMT's program resources and schedule of classes and consortia.

f) Institution of meetings with students at the high school level to acquaint them with the prerequisites for entry into the occupations included in the construction management concept, with emphasis on presentation by minority and female employees.

HRC's design affirmative action agreements will place increasing emphasis on the design firm's commitment to training of sub-professionals and assisting current design students to successful completion of their studies. Part-time and summer employment, scholarship aid, counseling on proper courses of study and tuition reimbursement are of great value, both financially and professionally, to minority and women students. The training of sub-professionals through existing programs like ESCMT gives an introduction and encouragement to people hoping to enter the design professions. The design firms which implement these programs will benefit, as will the minority and women graduates who will enter the professions.

Copies of this report may be obtained by contacting Mr. Vurek or Mss. Rathbone or Thomas at the HRC.

The expansion of the training component and its increased priority is the HRC's commitment to increasing the supply of minorities and women in the design fields. The situation in the schools and a positive response by design firms to these affirmative action training requirements should have an impact on that supply in the next few years.

The next report from the Design Group will be an update of this one, with a special section on minority and women-owned business participation, in these projects.

- Commissioner Fine expressed an interest in information about the HRC's attempts to encourage and promote more participation by Native American Indians in these programs. Wayne Redus, HRC Coordinator of Employment, said the HRC had been active in this area and would report on a subsequent date.

- The HRC was reminded of the joint meeting, starting at 12:30 on May 4, of the Employment and Youth & Education Committees. The Employment Committee meeting will start at 10:30 a.m. that day. All this in the Cathedral House Library at Grace Cathedral. See Calendar Matters.

- 12B Revision Committee

Commissioner Maxwell had been elected chairperson of this Committee, and Commissioner Solomon vice-chairperson. A series of meetings and hearings has been scheduled through October to compile material for recommendations.

- Meeting with Mayor Moscone to Discuss Principles of Affirmative Action

Five months after adoption by the HRC of its Principles of Affirmative Action in Employment simultaneously with adoption of its Priorities in

Employment, a delegation from the HRC (Chairperson Yamakawa, Commissioners Fine and del Portillo, Boyd Fottrell, a member of the HRC Employment Committee, and Director Mickins) obtained an appointment with Mayor Moscone to discuss with him personally HRC concerns and objectives encompassed in these documents.

The Mayor apologized for the long delay in meeting with the HRC delegation, discussed the documents briefly, and promised, after reading them in the near future, to meet with them again for a fuller discussion with the entire membership of the HRC.

- Commissioner del Portillo stressed that the HRC should press for action on its policies when next it meets with the Mayor.

- Commissioner Fine noted that the HRC has written to Supervisor Carol Ruth Silver citing the omission of mention of the HRC in a proposal she submitted to the Board of Supervisors that each City department, board, or commission set up an affirmative action function.

- Chairperson Yamakawa encouraged all Commissioners to re-study the Principles of Affirmative Action in Employment and Priorities in Employment to prepare for the meeting with the Mayor.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Recommended Endorsement of Bay Times Communications Program

Commissioners were provided in advance with informational material describing in detail the San Francisco Bay Times, Inc. communications program (See Communications section of these Minutes). This organization's primary objective at this time is to improve communication among lesbians, gay men, and the larger community by undertaking programs ranging from seminars, workshops, and forums, to development of a model newspaper.

It was

*****m/s/c that the HRC endorse the 1978-1979 Communications Program of the San Francisco Bay Times, Inc. and forward a letter of support.

The staff of the Bay Times includes Commissioner Lyon, as contributing columnist.

Mr. Roland Schembari of the Bay Times present thanked the HRC for its endorsement.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Committee Report

In the absence of both Commissioners, Gail Roberts, staff for the Committee, made a brief report. The most recent meeting of this Committee concentrated on the HRC's position on the School District's bilingual office programs. Subsequent to the adoption of the HRC policy statement,

a Consent Decree (in Lau v. Nichols) of the U.S. Supreme Court was accepted by both the court and the SFUSD and this was reviewed.

On May 18 the Committee will again be considering a policy statement on Bilingual Education.

NEW MATTERS

- Carter v. The Bank of America

A show cause hearing scheduled for May 3 on this matter at 10 a.m. has been cancelled, Director Mickins announced, because a tentative settlement agreement between complainant and respondent is expected to be worked out.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, May 11, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, May 4, 1978 10:30 A.M. followed by joint meeting at 12:30 with Youth & Education Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, May 2, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Wednesday, May 3, 1978 9 A.M. HRC Offices - Room 509 1095 Market Street - San Francisco
Police Liaison	Tuesday, May 23, 1978 4:00 P.M. Lurie Room, Main Library San Francisco
Social Programs	Tuesday, May 16, 1978 10:00 A.M. HRC Offices - Room 509 1095 Market Street - San Francisco
Youth & Education	Thursday, May 4, 1978, following joint meeting with Employment Committee beginning at 12:30 Thursday, May 18, 1978 4:30 P.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

GSM:JC:klh

HUMAN RIGHTS COMMISSION

RESOLUTION OPPOSING STATE PROPOSITION 13 (Jarvis-Gann Initiative)

WHEREAS, the Human Rights Commission has taken positions on pending local, state, and national legislation in the past, particularly when it could have a serious impact on housing, employment, and education for San Franciscans; and

WHEREAS, its Social Progams and Administrative Committees have made a study of the possible consequences of passage of the proposed State Proposition 13 (Jarvis-Gann Initiative) and their impact on the implementation of the mandate of the Human Rights Commission itself; and

WHEREAS, a drastic increase in unemployment could result from Proposition 13's enforced property-tax reduction and the resulting severe cutbacks in public services, with as many as 5-7,000 estimated City government jobs in San Francisco alone; and

WHEREAS, public education would lose an estimated $3.8 billion (both pro and con forces agree on this figure), or more than half of the money needed to run the schools, with the inevitable result of slashes in essential educational programs, increases in class sizes, drastic reductions in staff, etc.; and

WHEREAS, renters (most minorities and low-income people rent their housing) have no assurance whatsoever that the 60 percent cut in property taxes will be reflected in lower rents. Indeed, as there is no protection <u>now</u> against rent increases, anxieties will be greater; and

WHEREAS, the basic human rights of decent, affordable housing equal employment opportunity, quality/equality education and access to recreational and cultural activities for which the Human Rights Commission has fought since its founding appear to be directly threatened by Proposition 13,

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission oppose the passage of Proposition 13 on the June, 1978 state ballot.

##########

JC:bct
5/1/78
Resolution 6-78
Adopted by the HRC 4/27/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

MAY 26 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

Minutes of the Meeting of May 11, 1978

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* NEXT MEETING: Thursday,
* May 25, 1978
* 9:15 A.M.
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* Commission Room, Third Floor
* Main Library, Civic Center
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Sister Mary Bernadette Giles, Antonio Grafilo, Phyllis Lyon, Enola Maxwell, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Carlota del Portillo, Rev. W.R. Drummer, Rabbi Alvin I. Fine, Sylvester Herring, Caryl Mezey, Dan Silva.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Chester Chew, Luis Escobar, Don Hesse, Joe Meza, David Prowler, Wayne Redus, Gail Roberts, Jose Robles, Emmeit Rosebrough.

Pledge of Allegiance

Minutes of April 27, 1978 approved.

CORRESPONDENCE

- From Supervisor Carol Ruth Silver, thanking Commissioner Mezey for support of the Citizens' Complaint Office proposed in the Police Department budget for next year, and urging (in view of the Finance Committee's deletion recommendation) that reinstatement be supported at the Board of Supervisors level.

- From Gilbert H. Boremen, Clerk of the Board of Supervisors, notice (send to all departments) that applications by City residents interested in appointment to the Commission on the Status of Women are due by May 19, 1978.

- From George L. Newkirk, Contracts Employment Compliance Officer, Public Utilities Commission, submitting a Manpower Utilization Report, developed by consolidating monthly reports of all PUC construction contractors and sub-contractors.

- From Supervisor Harvey Milk, announcing the Final Committee hearing May 10 on his ordinance, drafted by the San Francisco Housing Coalition, to control real estate speculation. See report under Housing Committee section.

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- From David J. Paseos, Chairman-SOS Committee, (Student Opportunity Service) of the Catholic Youth Organization Urban Development program, urging support for CYO's being continued as the program operator for the CETA non-public, nonprofit schools.

- To Commissioner Morrissey, a letter of condolence on behalf of the HRC members and staff on the death of his father, Edward Morrissey. Commissioner Morrissey wrote an acknowledgment of this letter to the HRC and verbally expressed his appreciation at this meeting.

DIRECTOR'S REPORT

- Civil Service Affirmative Action Proposal

Discussion of this proposed statement regarding public hearings on the Affirmative Action Plan for Civil Service was held over to the New Matters section of these Minutes.

- Minimizing the Impact of Layoffs of City Employees

Consideration of adoption of this statement regarding plans by the City government if the Jarvis-Gann initiative (Proposition 13) passes in June was held over to the New Matters section of the agenda.

- 1977 Complaints Caseload Report - Jack Casford

This compilation, made annually from reports of the professional staff, covers the calendar year. For 1977, the HRC handled the largest number of complaints in its history and had the largest increase over the preceding year (28.5%) than in many years. A total of 1,182 complaints cases were dealt with by nine staff members, compared to the 844 reported for 1976.

The 1,182 figure is nearly double the 671 walk-in, call-in, write-in, or referred cases the HRC worked with in 1974, only three years earlier.

The breakdown by general category for 1977:

Employment	288
Housing	384
Gay Rights	292
Education	119
Other (a miscellaneous category that includes individuals with personal problems requiring counseling to cases of disturbed persons)	159
Total	1,182

The cases in the above total number all required staff time to conciliate, or to resolve. In addition to case-handling, members of the staff

provide hundreds of people with basic information about human rights resource agencies, both private and public, or about City services. The staff members expend considerable time and patience referring and explaining the limits of the Commission's jurisdiction.

The most dramatic increase during 1977 was the total of 292 complaints cases involving gay rights. Since the expansion two years ago of the HRC's Nondiscrimination Ordinance (Chapter 12B of the City's Administrative Code) to include sexual orientation as a protected category, the number of cases handled by Gay Liaison Specialist Jo Daly (and a student intern, Lloyd Cowan) has gone from 73 in 1976 to 292 in 1977. Ms. Daly reported that the most disturbing trend in these complaints is the rise in complaints of violence against gay citizens.

Housing Representative Don Hesse and Housing Specialist David Prowler reported jointly that their complaint workload totaled 398 cases. Discrimination in rentals for a variety of reasons accounted for most of these complaints. Rent increase complaints jumped significantly in 1977, with 60 cases in this category reporting an average increase of $82 a month.

The HRC generally does not process individual complaints of discrimination UNLESS they fall under its Nondiscrimination Ordinance pertaining to City contractors, or UNLESS they are the basis for a class action complaint under the ordinance. However, it does provide special attention to complaints about the City's Civil Service System. One hundred eighty-one such complaints were reported for 1977 by Frank Anderson, the HRC's Employment Representative specializing in work with the Civil Service System.

Handling complaints involving the public schools is Gail Roberts, the HRC's Community Organization Coordinator. School employment problems dominated the 119 complaints cases she reported for 1977.

Complaint-handling, Mr. Casford's report stressed, is done in addition to the regular staff duties at the HRC. The agency never was set up to be a casework office though most complainants believe that is its prime function. The Board of Supervisors has expanded the HRC's ordinances and the categories of discrimination covered, but it has added no new staff positions. The last new one was in 1968. Through 1975, the HRC had 14 full-time professional and clerical employees; during 1977, it had 13, due to a hiring freeze.

Mr. Casford and other members of the staff responded to questions from Commissioner Morrissey about complaints workloads, and how they try to limit their involvement on the basis of the HRC's statutory limitations. It was pointed out by Don Hesse that until the Mayor's Assistance Center was set up in 1977 in City Hall, there was no City agency handling tenant-landlord complaints. Referrals are made now to that resource by the HRC. It was also pointed out that HRC staff receive many complaints from persons who have already been referred and re-referred to several agencies. When they reach the HRC, full of frustration and sometimes anger, staff does attempt to relieve the level of apprehension and frustration in trying to deal with them.

It was pointed out that the full Complaints Caseload report, which is attached to the Annual Report, will give a more detailed breakdown of complaints categories.

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Request for Support of Assembly Bill 3619, Relating to Landlord and Tenant.

David Prowler, Housing Specialist, referred to a summary of this legislation, being introduced in the State Assembly by Assemblywoman Maxine Waters. Copies of the bill also were distributed for the Commissioners to follow. Mr. Prowler discussed the substandard conditions of some housing in the City, saying that despite popular belief there are slums here. He said parts of Chinatown, the Fillmore District, and South of Market would qualify as slums. He said 50% of the housing of three or more units in the City have serious code violations, and 8% lack adequate plumbing. He said that when the HRC was taking landlord-tenant complaints, they included problems of no heat, no hot water, rodent infestation, exposed wires, etc. The options open to persons living in substandard conditions are: accept them; move; or report them to the City Building Inspection Bureau. The latter course, however, is often frustrating because, Mr. Prowler said, of the slow process of inspection, notice to owner, and the wait while the City Attorney's Office tries to handle the backlog of landlord noncompliance cases. A fourth option is the self-help remedy, under Sections 1941 and 1942 of the California Civil Code. Under existing law lessees unable to get the landlord to make necessary repairs for health and safety can themselves repair the premises and deduct (not to exceed one month's rent) the cost from the rent.

AB 3619 would permit a lessee "to exercise his right twice during any 12-month period, rather than once." It also would require that any agreement "eliminating the lessor's duty to repair be in writing...making the landlord's duty to repair independent of the lessee's statutory duties."

After discussion on details of the proposed AB 3619, it was *****m/s/c that the HRC endorse Assembly Bill 3619.

- Status Report on the Proposed Anti-Speculation Tax Ordinance - David Prowler

This measure, compiled by the San Francisco Housing Coalition, received a "do not pass" vote from the three members of the Board of Supervisors' Finance Committee at its second and final hearing recently. The Committee, however, did refer the proposed ordinance to the full Board, where it is anticipated some action will be introduced regarding public concerns about real estate speculation.

- Proposed Resolution Supporting Title II of HR 3504, "The Fair Housing Amendments Act of 1977." - Don Hesse.

Copies of the proposed Resolution provided in advance of this meeting to the Commissioners were accompanied by a summary of its essential components and a chart showing the current U.S. Department of Housing and Urban Development legal bases, cover and enforcement of equal opportunity requirements under the Civil Rights Act of 1968, amended by the Community Development and Housing Act of 1974.

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Mr. Hesse discussed the background of the Fair Housing Act, (Title VIII of the 1968 Civil Rights Act) passed very soon after the murder of Dr. Martin Luther King, Jr. He pointed out weaknesses of the present federal fair housing regulations, and, using the cited chart, showed where the proposed HR 3504 "Fair Housing Amendments Act of 1977" would rectify or improve the protections for fair housing in the U.S.

The primary provisions of the proposed legislation are as follows:

- The Department of Housing and Urban Development would be given the power, after investigation, to conduct a hearing and issue a final administrative order. The order could provide the same relief that is available through private litigation including money damages, equitable and declaratory relief, and punitive damages not to exceed $10,000.

- As an alternative, HUD can refer a complaint to the Attorney General for the purpose of filing a civil suit in the name of HUD

- Exclusionary land use practices by units of local government would be prohibited. Part of this is the mere codification of existing case law but it does clarify the issue. It does go beyond clarification in making unlawful zoning practices which exclude low- or moderate-income housing because of the economic status of prospective occupants of such housing.

- The time for filing Fair Housing Complaints with HUD would be extended from 180 days to 3 years, and the statute of limitations on private actions would be extended likewise.

- The bill clarifies that the same court remedies could be sought, whether or not complaint had been filed with HUD previously. HUD's institution of the hearing process would act as a temporary bar to private action.

- The bill eliminates all exceptions except the renting of space within a single family dwelling occupied by the owner. This would make it more consistent with the 1866 Civil Rights Act.

- It would include handicapped persons as a protected class under the law.

- It would establish a Fair Housing Loan Fund to enable low-moderate income persons to pursue private litigation.

- It extends the prohibited activity to include discrimination in the issuance of homeowners insurance.

The Resolution proposed was read in full.

It was

*****m/s/c that it be amended to add "families with children, and of sexual preference" to the protected categories called for by the HRC.

It was

*****m/s/c to amend the fourth paragraph to add "families with children, or on the basis of sexual preference".

It was then

*****m/s/c to adopt the Resolution in Support of Title II of HR 3504 Known as the "Fair Housing Amendments Act of 1977". The full text is attached to these Minutes.

- Report on San Francisco Housing Authority's Inchon Village Home Ownership Program. Mr. Hesse.

A report was made to the Housing and Urban Development Committee at its most recent meeting. The Housing Authority's announcement about this proposal was provided in advance to the Commissioners. It reads:

"Inchon Village, a one-hundred apartment complex, was constructed in 1969 as Navy family housing at the Hunters Point Naval Shipyard, located in the southeast section of San Francisco.

The two-story row-house units were vacated and "mothballed" at the time the Navy Department shut down the shipyard in 1974. Security and minimal site maintenance has been maintained since the shutdown.

The Authority in 1976 made initial overtures to the Navy to make use of the apartment complex as a relocation resource in conjunction with the Hunters Point Target Projects Program. The negotiations have been underway until recently.

Current federal policy has created an opportunity to utilize the complex as a permanent housing source for home ownership. The Housing Authority in conjunction with the Department of Housing and Urban Development is proposing to develop the apartments as a 100-unit condominium project.

Inchon Village consists of thirteen two-story buildings on a 17-acre site. The individual apartments, many with two and two and one-half baths, are: 12 two-bedroom units, 78 three-bedroom and 10 four-bedroom units.

All units have two entry points, one of which opens to patio garden space. Open parking for each apartment is situated in close proximity to each building.

All units contain separate utility areas for laundry and individual hot water heaters. No major physical modifications are necessary to restore the apartments to liveable condition. Current total estimated costs are: $1,100,000 acquisition cost and $1,240,000 rehabilitation or restoration costs.

Under the planned condominium process, each family will own its own home with affordable monthly payments that will include site maintenance. The Authority work program proposed contains scheduling to offer a homeownership program within a year to low-income families, an opportunity previously denied them."

Mr. Hesse said that the U.S. Department of Housing and Urban Development turned down the original proposal of the Housing Authority for two reasons:

1. Reluctance to turn over the Inchon Village property given the difficulties the San Francisco Housing Authority has had in managing some properties, and

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2. A reluctance to create more subsidized units of housing in the Hunters Point area and contribute to the impaction of subsidized housing there.

However, HUD did express interest in converting Inchon Village housing into condominiums for low and middle-income people. The Housing Authority presently is developing this conversion and transfer program.

Mr. Hesse said that Inchon Village units are unique in that they contain two, three, and four-bedroom apartments, much needed in San Francisco's low and middle-income market. The first condominium purchase preference would be given long-term Housing Authority Tenants. The lowest possible minimum purchase price per unit is planned to be $23,400. An immediate problem is how to control re-sale of these units, whose value would rise immediately to more than $50,000.

Mr. Hesse said that the concept was an innovative one, and that it sought to turn the benefits of home ownership over to low and moderate-income persons who have been "locked into" public housing for many years because of inability to buy. He said it was hoped such a development program might set an example for housing properties the military own in the Bay Area on installations that may be closing. And it was hoped by some that when bonding costs for several hundred units of public housing is paid off in a few years, the Authority could convert them for low and moderate-income ownership programs.

EMPLOYMENT/JOINT MEETING/YOUTH AND EDUCATION

Employment: Alvin I. Fine, Chairperson
Carlota del Portillo, Co-Chairperson

Youth & Education: Sister Mary Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Report on Joint Meeting - Commissioner Solomon

The HRC charged the Youth & Education Committee some months ago with monitoring affirmative action in employment in the area of education, and it was proposed that it meet jointly with the Employment Committee and outside resource people in the field.

Representatives of affirmative action employment and special admissions officials in higher education and in the San Francisco Unified School District were in attendance at the May 4th joint meeting.

- Proposed Resolution in Opposition to a Proposed Initiative to Amend the State Constitution to Prohibit Affirmative Action Programs in Employment and Special Admissions. -Commissioner Solomon.

Copies of the proposed initiative measure were provided in advance of this meeting to all Commissioners in addition to the proposed Resolution. The proposed initiative would add Article I, Section 8a to the California Constitution to prohibit admission to any state university or college or any school division of either under an affirmative action program. This same prohibition would be extended to public and private employment affirmative action programs, and to public and private contracts. Its effect,

Commissioner Solomon said, would be to eliminate any and all affirmative action programs, and effectively nullify the work of the HRC and other agencies in the state.

After a discussion of the proposed Resolution, it was

*****m/s/c that the HRC adopt the Resolution in Opposition to a Proposed Initiative Amending the State Constitution to Prohibit Affirmative Action Programs in Employment and Special Admissions. The full text is attached to these Minutes.

- Recommendations Relating to Education and Employment Involving the San Francisco Unified School District -Commissioner Giles.

Also at this Joint Meeting, and after a discussion of increasing opportunities for minorities to prepare and qualify for admission to higher education institutions, the Y & Ed Committee developed the following three recommendations involving the SFUSD:

1) The San Francisco Unified School District should be urged to establish a cooperative program with Bay Area post-secondary schools, setting up a program designed to encourage the entry of minorities and women into colleges, universities, and trade schools. The purpose of this program would be to provide information regarding post-secondary education, to have students in these institutions serve as role models to secondary school students, and to recruit students to these institutions. Such a program, patterned on the University of California at Berkeley's Partnership Program, would begin at the eighth-grade level and operate through twelfth grade.

2) The San Francisco Unified School District should be urged to cooperate with and to work more closely with community agencies involved in job training and career development.

3) The San Francisco Unified School District should be urged to study and report on how occupational roles are portrayed in curriculum materials with respect to race and sex.

It was

*****m/s/c that the HRC adopt the recommendations.

NEW MATTERS

- Civil Service Affirmative Action Proposal

It was

*****m/s/c that the HRC consider this matter without its having first been discussed at a standing committee level.

Director Mickins read a proposed statement urging public hearings immediately on the proposed Affirmative Action Plan. He reminded the HRC of its position asking that the Civil Service Commission move on adoption of an Affirmative Action Plan for City employees. The HRC, via Commissioner Mezey and Frank Anderson, has participated regularly in the work of the Advisory Committee that drew up the proposed Plan. A supplemental Affirmative Action

-more-

Plan was submitted to the CSC on March 28, and the Committee called for public hearings on it. Commissioner Salomon of the CSC then set up a Rules and Charter Revision Committee, which established the procedure that all changes in rules and regulations of the CSC had to be cleared through it, and hold public hearings. To date, said Director Mickins, the Revision Committee has not called public hearings on the supplemental Affirmative Action Plan, giving as reasons:

1. That the City was in negotiations on a lawsuit filed against it by Officers for Justice on Police Department hiring discrimination, and

2. That an administrative complaint filed by Latinos for Affirmative Action against the City, challenging its compliance with federal revenue-sharing regulations covering affirmative action, was still pending. Commissioner Salomon, it is understood, had elected not to hold any public hearings on the supplemental Affirmative Action Plan until the above two issues are resolved.

In view of the long delay, which Director Mickins termed "unreasonable" by the CSC, he recommended that the HRC consider taking a formal stand as expressed in the proposed statement.

It was then

*****m/s/c that the HRC urge the Civil Service Commission to immediately establish a date for a public hearing and begin to expedite its consideration of the proposed supplemental Affirmative Action Plan for City Civil Service employees.

- Minimizing the Impact of Layoffs of City Employees

This subject was presented as a result of meetings by the Director and Civil Service staff and a random analysis Frank Anderson has done of Bay Area municipalities and human rights agencies' contingency plans should Proposition 13 pass on the June ballot. This analysis, discussed briefly at an earlier HRC meeting, concentrated on how other jurisdictions plan to cope with revenue losses and resulting personnel and services cutbacks.

Director Mickins cited the City Bureau of the Budget analysis made earlier with four alternative-level budgets for the San Francisco should Proposition 13 pass. Under the first of the levels, the HRC would be disbanded, along with the Delinquency Protection Commission, the Commission on the Status of Women, and the Animal Control Center. The memorandum from Mayor Moscone, also discussed earlier at the HRC, stated that the only government services in the City that he would require to maintain would be the Police and Fire Departments and the Municipal Railway system, and those revenue-producing departments that are self-sustaining.

Aside from these two documents (the Budget Bureau plan and the mayoral memorandum), Director Mickins said, no further detailed planning has been made. He stated that the HRC is deeply concerned that its constituency would most likely be the "last considered" unless it took some action to advocate immediate planning for alternatives to layoffs, The City would lay off an estimated 5,555 regular employees and 1,500 CETA (Comprehensive Employment Training Act) employees.

Following a reading in full of the proposed statement "Minimizing the Impact of Layoffs of City Employees," there was HRC discussion on its adoption.

With some minor editing changes, it was then

*****m/s/c that the HRC adopt the statement "Minimizing the Impact of Layoffs of City Employees," to be transmitted to the Mayor and the Board of Supervisors. The full text is attached to these Minutes.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, May 25, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library of the Civic Center.

STANDING COMMITTEES

Employment	Thursday, June 1, 1978 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, June 6, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Wednesday, May 31, 1978 9 A.M. HRC Offices - Room 509 1095 Market Street San Francisco
Police Liaison	Tuesday, May 16, 1978, 4P.M. Lurie Room, Main Library San Francisco
Social Programs	Tuesday, May 16, 1978 1:00 A.M. HRC Offices - Room 509 1095 Market Street San Francisco
Youth & Education	Thursday, May 18, 1978 3:30 P.M. Thursday, June 1, 1978 3:30 P.M. Grace Cathedral Grace Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via
Jack Casford

JC:klh

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 MARKET STREET, SUITE 501
SAN FRANCISCO, CALIFORNIA 94103
TELEPHONE 558-4901

RESOLUTION IN SUPPORT OF TITLE II OF HR 3504 KNOWN AS THE "FAIR HOUSING AMENDMENTS ACT OF 1977"

WHEREAS, this is the tenth anniversary of the passage of Title VIII of the 1968 Civil Rights Act, commonly known as the Fair Housing Act; and

WHEREAS, that law was the result of much compromise which seriously diluted its effectiveness; and

WHEREAS, segregated housing patterns as described by the Fair Housing Planning Committee in its report in 1974 continue to exist in San Francisco and throughout the Bay Area; and

WHEREAS, the 1968 Fair Housing Act does not include all housing available for rent or sale nor does it prohibit discrimination against the handicapped, families with children, or on the basis of sexual preference; and

WHEREAS, the Department of Housing and Urban Development presently lacks adquate enforcement powers to fulfill the promise of the 1968 Fair Housing Act;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission, acknowledging accomplishments of the 1968 Fair Housing Law as well as its limitations and recognizing the great challenge that remains in insuring equal opportunity in Housing, endorse Title II of HR 3504, commonly known as the Fair Housing Amendements Act of 1977; and

BE IT FURTHER RESOLVED, the Commission calls on Congress to: 1) add a definition of "handicapped" no less inclusive than that provided in Section 12.A. of the San Francisco Administrative Code; 2) add religion, sex and handicapped to the protected classes in the prohibition against discrimination in insurance; and 3) provide an operational definition of "exclude" as used in Section 804 (g) so that the greatest opportunity possible exists to provide low/moderate income housing in all communities; and 4) add the protected categories of families with children, and of sexual preference.

Resolution 7 - 78

Adopted by HRC 5/11/78

gb
5/17/78

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 MARKET STREET, SUITE 501
SAN FRANCISCO, CALIFORNIA 94103
TELEPHONE 558-3653

RESOLUTION IN OPPOSITION TO A PROPOSED INITIATIVE AMENDING THE STATE CONSTITUTION TO PROHIBIT AFFIRMATIVE ACTION PROGRAMS IN EMPLOYMENT AND SPECIAL ADMISSIONS

WHEREAS, an initiative measure to amend the State Constitution to prohibit affirmative action programs in employment and special admissions has been proposed; and

WHEREAS, the Human Rights Commission of San Francisco has by policy and practice advocated the use of affirmative action programs to help bring about equal opportunity in employment and in education; and

WHEREAS, the proposed amendment is in direct opposition to the Human Rights Commission's policy and practice, in addition to its legal mandate;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission of San Francisco actively oppose the proposed amendment to the State Constitution, specifically Article I, Section 8 (a), should it qualify for the June ballot.

Resolution 8 -78

Adopted by the HRC 5/11/78

gb
5/17/78

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

MINUTES OF THE MEETING OF MAY 25, 1978

NEXT MEETING: Thursday
June 8, 1978
9:15 AM
Commission Room, Third Floor
Main Library, Civic Center

JUN 5 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W.R. Drummer, Rabbi Alvin Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Enola Maxwell, Caryl Mezey, Donna Solomon, Nadim Zarour.

Excused: Sylvester Herring, Phyllis Lyon, John Morrissey, Dan Silva.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Luis Escobar, Alberta Grant, Linell Harden, Stanley Lim, Grace Markham, Jesse Martinez, David Prowler, Vicky Rathbone, Wayne Redus, Gail Roberts, Emmett Rosebrough, Tala Suafai, Essie Thomas, David Treanor, Jeff Wong.

Pledge of Allegiance

Minutes of May 11, 1978 approved.

COMMUNICATIONS

From George Agnost, City Attorney, a Memorandum to all City department heads describing the prohibitions against use of public funds and facilities to support or oppose ballot propositions, and suggesting that departments prohibit the distribution of campaign materials and the solicitation of campaign contributions during working hours.

From Nancy L. Gellhaus, Coordinator, Control Data Corporation, introducing the firm's 1978 affirmative action plan and seeking a working relationship with the HRC.

From Z.L. Goosby, Commissioner, San Francisco Board of Education, a copy of a letter addressed to Dr. Robert F. Alioto, Superintendent of Schools, and Benjamin Tom, President of the Board, requesting that an Ad Hoc Committee of the Board and the Superintendent's office meet with a representative group from the Black community, ministerial and labor organizations as soon as possible. The letter was written May 11, the day after a community group threatened a boycott after it had been denied the opportunity to voice concerns on proposed changes in personnel by the School District.

To the Rev. Amos Brown, Pastor, Third Baptist Church, a letter from HRC Director Grant S. Mickins offering the good offices of the HRC as a facilitator or mediator between the Coalition of Black Ministers and the San Francisco Unified School District.

Director Mickins said this same letter had been sent to Dr. Robert Alioto, Superintendent of Schools and Benjamin Tom, President of the Board of Education, but that none of the parties to date has responded, and that he has learned unofficially that the Coalition of Black Ministers feels there are at this point no negotiable issues. The HRC offer continues open, however, and its contact with all parties as well. Commissioner Drummer announced that the Coalition meets again May 26th.

From Anita Sanchez, Director, Filipino Youth Coordinating Committee, Inc., requesting a meeting to discuss the Committee's employment programs funded by the Comprehensive Employment Training Act office through Title I Work Experience and Title III On the Job Training. Funding is being sought now for the 1979 Fiscal Year.

From George Davis, Project Director, Bayview Hunters Point Senior Citizens, Inc., seeking support for its programs and a proposed Multi Purpose Center.

To members of the Civil Service Commission and the General Manager, Personnel, informing of the HRC's action on May 11 to "...urge the Civil Service Commission to immediately establish a date for public hearings and begin to expedite its consideration of the proposed Supplementary Affirmative Action Plan" for the Civil Service. The letter was mailed May 15th.

From John Rothmann, Chairman, Soviet Jewry Commission, inviting the HRC and staff to a reception for Ms. Dina Beilin on May 30th at the Hotel San Franciscan from 8:15 to 9:30 am. Ms. Beilin is traveling under the auspices of the National Conference on Soviet Jewry.

From D.W. Smith, Associate Warden, San Quentin Prison, requesting participation in a panel seminar on an indepth examination of the Black Inmate.

From A. Robert Singer, of the law firm Hassard, Bonnington, Rogers & Huber, representing Swinerton and Walberg, general contractor for the North Point Pier Project, requesting a meeting to discuss resolution of a complaint of noncompliance filed against the contractor by HRC Contract Compliance Representative Stanley Lim.

From Howard Jarvis, Chairman, Yes of 13 Committee, soliciting financial contributions to the Yes on 13 Committee in a computer printed form letter aimed at "people in business...who own...property, or have a net lease..."

DIRECTOR's REPORT

Seniority Verification

The Civil Service Commission has issued a formal request to all departments to provide a seniority verification for all employees. An electronic data processing print-out showing the status for all HRC staff members has been received. This is in preparation for the eventuality of passage of Proposition 13, and the announced intention for sustantial employee layoffs by City government.

Carter v. Bank of America

After several weeks of discussions, settlement has been reached in this case involving a charge of discrimination based on sexual orientation by Mr. Carter against his former employer. As part of the settlement, the bank has agreed to re-issue and distribute in San Francisco its policy of nondiscrimination on the basis of sexual orientation.

Chapter 12B Revision Committee

Wayne Redus was asked to give a status report on this Committee's work by its chairperson, Commissioner Enola Maxwell. Mr. Redus said the Commitee has met four times. He then discussed three documents, copies of which were provided the Commissioners:

1. Re-written version of a proposed amendment to Chapter 16 of the Administrative Code, introduced earlier by Supervisor Carol Ruth Silver, mandating City boards and departments to implement affirmative action plans. The original version of Ms. Silver's ordinance, discussed earlier by the HRC, had failed to mention the HRC. The HRC had directed staff to work with Supervisor Silver's office in rewriting the ordinance. The HRC version,

which has been provided to Supervisor Silver, adds compliance with local affirmative action laws (the original version mentioned compliance only with state and federal laws and guidelines); it would require each department o consult with the HRC in putting together affirmative action plans; it would require that an Equal Employment Opportunity Coordinating Committee develop criteria for plans; and it would provide that all plans must receive certification from the HRC.

2. An amendment proposed for Section 12A. Declaration of Policy requiring that (in language added to the original Silver version) the HRC act on affirmative action plans submitted to it for the purpose of certification of compliance with the criteria, and

An amendment to Section 12.5. Powers and Duties requiring the HRC to provide technical assistance to City agencies, boards and officers in writing and implementing affirmative action plans.

3. A proposed resolution (for the Board of Supervisors) that would request the Civil Service Commission to include the evaluation of performance in implementing departmental affirmative action plans.

All three documents have been provided Supervisor Silver and the HRC is awaiting her response.

Commissioner del Portillo, referring to Mr. Redus' report, paid tribute to the high quality of work the HRC staff does, both on HRC in house activities, and on wider City government actions.

Criminal Record Review Ordinance

Citing its official policy dating from February 1975 opposing the use of past criminal records in assessing qualifications of job applicants in the City Civil Service, the HRC delivered to the Board of Supervisors last week a letter urging that the Board not override the Mayor's veto of an ordinance introduced by Supervisor Quentin Kopp that would have permitted heads of City departments to review criminal records in selecting applicants for City jobs.

The HRC position in part holds that reviewing past criminal records works particular hardship on minority applicants. This proposed measure was adopted at the Board of Supervisors' May 15 meeting, and subsequently vetoed by the Mayor. On May 2[illegible], the Supervisors voted not to override.

Commissioner Maxwell commented that the fact that such a measure had been introduced was a sign of the gradual erosion of civil rights, as were the recent repeals of gay rights ordinances in Florida, Minnesota, Kansas, and Oregon. She said the concerns are: what group will be next? She called for all citizens to become more aware and more concerned about the protections of basic human rights.

SPECIAL ORDER

Mayor George Moscone

The Mayor had been invited by the HRC to appear before it for a fuller discussion of three documents:

HRC Priorities in Employment
HRC Principles for Affirmative Action in Employment
The HRC Staff Report on the Proposed Civil Service Affirmative Action Proposal

The Mayor went through the first two documents in order, making summary comments on his positions on some, but not all, of the primary principles and priorities. The Staff Report on the Proposed Civil Service Affirmative Action Proposal itself was not discussed but the subject was.

Priorities in Employment

At the outset he stated his strong support of the general statement of the principles of affirmative action, saying that more than just the Civil Service Commission has to be involved, and that department heads must be committed to these principles and compliance with goals and timetables.

He also affirmed support of the Rule of Three, with the condition that it be closely monitored.

The Mayor endorsed the HRC stand on a liberal evaluation of past experience and on the encouragement of alternative employment policies, including flexible hours, part-time employment and job sharing. He said he felt that there was a need to more adequately publicize existing training opportunities as the HRC urged in this paper.

Concurrence also was expressed with the HRC's call for all labor unions representing City employees to meet and confer on affirmative action matters.

Those sections of the Priorities in Employment document covering specifically Selective Certification (to enhance the entry of previously excluded groups into Civil Service employment), and recommendations on Employment in the Private Sector, non Civil Service-related Amendments to Chapter 12B, and the need for an HRC budget increase if recommendations are to be implemented were not covered by the Mayor in this discussion.

He said that Chapter 12B should not cover City employees as well as City contractors, noting that the latter should apply only to City contractors. However, he stated that if the City is going to require the private sector to carry out affirmative action it has to be "impeccable" in its performance in that area with its own employees.

Principles for Affirmative Action in Employment

Twelve principles are outlined in this document as the basic elements of an affirmative action program in employment.

The Mayor stated his support of expanded recruitment efforts and the need to eliminate requirements either not job related or which reflect cultural bias, and of measurement and accountability, "because the ultimate responsibility for the effectiveness of any affirmative action program rests with the employer." The upgrading and promotion principle, he stated, is just as important as entry-level hiring affirmative action issues and the HRC's recommendation is well taken. He also supported the HRC position that affirmative action issues be brought to the negotiating table during the meet and confer or collective bargaining process.

Agreement with the HRC concerns about job analysis was expressed. He pointed to the elimination of architectural barriers that have the effect of discriminating in employment against physically handicapped persons as an important need, but one that will be very expensive.

While he said that the HRC position on seniority (that when administered equitably to provide job protection it must be preserved, but that when it acts to exclude persons on the basis of race, sex, age, etc. the needs of equal opportunity and affirmative action must take precedence) is basically sound. But he discussed in some detail the constitutional precedence in law for seniority systems, the strong feelings of those with long seniority as opposed to those who feel the system requires more flexibility to counter historical inequities, and the need for negotiations of these and other factors in the issue.

The Mayor referred to the HRC statements in the document on employee layoffs and said that now, on the eve of the June 6 election with Proposition 13 on the ballot, he is working on how to balance job rights with fiscal exigencies and determine what services can be reduced or eliminated.

The sections in this document, Principles for Affirmative Action in Employment, on training, testing and selection, goals and quotas, revision (of affirmative action programs), and good faith and cooperation were not discussed by the Mayor.

The Mayor discussed in detail the dilemmas he and the City face in discussing affirmative action guidelines and regulations required by the federal government, i.e., that compliance with some federal regulations would backfire by the City's then being in noncompliance with some state regulations. Thus funds coming to the City from the state and the federal government could be in jeopardy.

The Mayor then responded to questions from members of the HRC.

Commissioner Fine asked if the Mayor could accept the HRC's recommen dations as a statement of policy on affirmative action for the City & County.

The Mayor responded affirmatively, saying "we'd like to go even further to include those things that we are eventually able to agree on with the Office of Revenue Sharing."

The Commissioner also noted that the HRC has been working with Supervisor Silver on the proposed ordinances expanding affirmative action to all City departments and outlining the role of the HRC, a role also detailed in its Principles for Affirmative Action in Employment.

He referred also to the HRC's Chapter 12B Revision Committee and its preparation currently of proposed changes. The Mayor asked that the HRC develop policy changes with the Civil Service Commission staff. He was informed that the Committee initially voted to include representatives of the Civil Service Commission, as well as City employee unions, the City Attorney's Office, and the Mayor's Office.

Commissioner del Portillo asked how else the HRC can work with him since he and the HRC "seem to have similar goals." The Mayor responded by saying he and the HRC "clearly have the same goals." But, he said, they have to be "implementable" goals. "I think we are going to have to do something that none of us want to do. Quite understandably, many of the people of this City---not because they're fools by any means; they are as bright as can be, but they don't need to get involved in bureaucratic problems----have goals that really cannot be implemented. I think it important for us to be able to stand up and say, sometimes, that that cannot be implemented."

The Mayor pledged to "make every endeavor to work with you...so that I will never be responsible for failing to get together."

Commissioner Fine asked, "do you mind our putting the heat on you at times because it strengthens your position in moving in certain directions?"

The Mayor replied that it was essential so long as it is made clear that he doesn't believe that on an issue of human rights that anyone should perceive him as grudgingly agreeing on it, that he feels strongly on this issue.

Commissioner Fine then asked Director Mickins to summarize the main points of a proposal recently sent to the Mayor The Human Rights Commission Proposal to Minimize the Impact of City Employee Layoffs.

Director Mickins referred to the written proposal, which had been adopted at the May 11th HRC meeting. The proposal addresses a worksharing recommendation in view of Bureau of the Budget estimates that 5,555 permanent authorized positions and approximately 1,500 CETA employees will be laid off if Proposition 13 is passed.

The provisions the HRC recommends are:

1. Dividing available work or hours of work.
2. Placing restrictions on work schedules.
3. Restrictions on overtime and subcontracting.
4. Limiting new hires to those who have special needed skills.
5. Placement of lay-off employees first when filling existing vacancies.

Mr. Mickins said he had received information from the County of Los Angeles on the anticipated total impact on minorities in their County employee workforce if Proposition 13 passes. Los Angeles County estimates a reduction of minority participation to below the figures for such participation in the County workforce ten years ago. Los Angeles County has 65,000 employees. He said the HRC has requested that the San Francisco Civil Service Commission do a similar survey to determine what impact on minority participation could be here.

The Mayor responded by saying that in the absence of a final order of the court, seniority is a vested right, thus any layoffs or work curtailment can result in "last in, first out." Lateral "bumping rights" (City employees with longer seniority can take precedence for existing jobs in the same classification in other departments laterally, thus "bumping" incumbents with less seniority). He said his office is talking about innovative proposals to try to ameliorate the problems of both City employees and the public who expect services.

Commissioner Maxwell asked rhetorically who was going to care for hospital patients, the victims of crime, and others who depend on City services that may be cut if layoffs take place.

The Mayor said communication on the facts of the possible effects of Proposition 13 is a major problem.

This concluded the Mayor's presentation.

STANDING COMMITTEES

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Vernon Alley, Co-Chairpersons

Affirmative Action Progress Report on Employment in City-Funded Construction Contracts-February, 1978.

This 15-page narrative report, supported by 21 pages of statistical tables, is the combined work of Stanley K. Lim, HRC Contract Compliance Representative, and two CETA workers, Tala Suafai and Linell Harden, Contract Compliance Specialists.

Mr. Lim began the presentation with the highlights from the report. The HRC has monitored City construction for ten years, and this report is the 13th in the construction series since 1970. The HRC compliance staff currently monitors more City construction contracts (in monetary value and in number) than ever in its history----36 major contracts under review valued at more than $235 million. The Wastewater and Airport Expansion projects represent more than two-thirds of the total.

This report covers 30 on-going projects and was based on statistics submitted by 30 general contractors and 200 subcontractors to the HRC during February, 1978.

The ethnic breakdown of the total workforce in all trades including some field personnel was: White: 55.5%; Spanish Origin: 15.8%; Black 18.8%;

Native American Indian: 5.7%; Chinese: 1.9%; Japanese: 0.8%; Filipino: 0.3%; and Other Non-White Minority: 1.2%. Total minority participation was 45.5%, or 653 persons out of 1,472, including both men and women.

The most notable achievement, Mr. Lim said, was the new high of seven women working in City projects (four of them minorities) reached in February. Six of them were apprentices, and one a laborer. Though Though the total number is small, he said, it is significant compared to the situation prior to the establishment of goals including women in 1976.

Minority representation, the report shows, equaled or slightly exceeded minimum goals, and it concludes that the projects are substantially meeting these goals for both minority workers and women apprentices. Though total percentage of minorities employed is down from the previous report (in March 1976), the total number of hours worked and the numbers of minorities rose.

Mr. Lim referred to statistical tables showing workforce breakdowns in detail on projects in the Department of Public Works, the Wastewater Program, the Airport, and in Bayview-Hunters Point (which has a unique "residency" goal instead of minority/women). Total minority participation in the first two projects was 47%. At the Airport, whose long construction operation has meant maintenance of a larger, more "permanent" workforce, women apprentices have been getting opportunities. In the Bayview-Hunters Point area projects have not been able to meet the 50% residency goal, and Mr. Lim said that the 1975 problem of a lack of active involvement of labor and management persists.

Ms. Suafai discussed the section of the report concentrating on minority and women apprentices and community outreach programs. During the month of February, 144 apprentices were on the job in the monitored projects. Eighty-two were minority males and six women (three minorities). Minority apprentices were 61.5% of the total and women 3.9%. In March, 1976, the HRC's last report on this area, there were only 38 minority apprentices and one woman.

Despite the work of outreach programs, minorities still have many problems entering apprenticeship programs, including: lack of a high school diploma, lack of communication skills, lack of union knowledge, economic instability, etc.

The HRC has assisted 22 women construction workers in finding jobs in the past year, Ms. Suafai said, 11 of them in the past six months. She credited the HRC's goals and timetables as the single most important factor in this achievement, though women still face traditional resistance from employers and fellow workers to their presence on the job. As of this month, she said, fourteen women are employed in City public works projects.

The HRC maintains a close working relationship with four publicly-funded community outreach programs to assist contractors in employing qualified minorities and women. These programs are: the Apprenticehsip Opportunities Foundation, the Women in Apprenticeship Program, the Bayview-Hunters Point Affirmative Action Program; and the San Francisco Coalition.

Mr. Harden described the work of two of the programs, the Bayview-Hunters Point Affirmative Action Program, and the San Francisco Coalition, to which he acts as liaison for the HRC. The Coalition, formerly the Yerba Buena Center Community Advisory Council, was formed jointly by the HRC and the San Francisco Redevelopment Agency in 1973 to serve as a City-wide minority community recruitment source in connection with the construction of the Yerba Buena Center Project.

Mr. Lim also reported other major HRC affirmative action activities:

A. North Point Pier Project- The HRC has not been able to obtain the needed information to carry out its monitoring responsibilities. On April 12, the HRC filed a noncompliance complaint against the developer (North Point Pier, Inc.) and general contractor (Swinerton & Walberg Co.)

B. Performing Arts Center - Concert Hall- The HRC has been able to secure a minority business enterprise participation level of close to 10% of the nearly $19 million construction cost.

C. Yerba Buena Center - The final draft of the Affirmative Action Program for the long-delayed project has been completed by the staff of the San Francisco Redevelopment Agency. Utilizing the basic premises of the HRC program, it contains some of the strongest elements in affirmative action programming.

Mr. Lim then concluded the formal presentation with this statement, taken verbatim from the conclusion of the written report:

Regardless of its source, the amount of money the City spends annually in construction is impressive. For the HRC, its mandate is to translate the massive dollar amount into equal job opportunities for all, particularly for the previously-excluded classes, minorities and women. As demonstrated time and again, the Commission's compliance mechanism has proven both equitable and efficient. It has enabled us to continuously maintain a high level of overall minority participation in the skilled trades and in apprenticeship (far exceeding our goals of 50%). And, currently, an unprecendented number of women in public works. With many of the larger projects yet to come, we predict opportunities for minorities and women will continue to increase.

Yet, we remain concerned with the underutilization of minorities in certain crafts, the insufficient participation of Asian-Americans, and the disappointingly low number of Bayview-Hunters Point residents employed in projects in that area. The HRC, effective as any in a similar enforcement field, alone will not be sufficient to rectify all this. It will need the intense cooperation of labor organizations and the commitment of the contractors.

The tables attached to this report show: a Summary of all Crafts and Non-Crafts in the month of February, by racial breakdown, with the totals of Non-Whites and all workers and the total hours worked by all and by minorities, and by craft classification; a Comparison of Workers in All Crafts and Non-Crafts with Prior Years; Minority and Women Apprentices in City Construction Contracts from November, 1970 to February, 1978; and an Analysis by Crafts of All Workers in Nine Departments of Public Works Contracts, in Seven Wastewater Contracts, in Nine Airport Commission Contracts, and in Five Bayview-Hunters Point Area Contracts. Also included is a list of the construction contracts monitored by the HRC, showing the date they were awarded and the percentage of the contracts completed as of February, 1978.

Mr. Lim also submitted the report of George Newkirk, Employment Contracts Compliance Officer for the Public Utilities Commission, at this time. The same HRC requirements apply to its contracts.

As of December 1977, the Public Utilities Commission had 21 construction projects in progress (the majority over $200,000). The total dollar value of these contracts is $30,550,300. The largest number of minorities are in the labor classification as they were in the last report. The major reason for this is that laborers are used in larger numbers than other crafts and there are more minorities in this particular craft.

A comparison of the figures in this report with those in the last one reveals some very encouraging improvements. While the usage of minority teamsters dropped from 31.3 to 12.9%, and minority carpenters from 29.9% to 0, this is due merely to the drop in total hours worked in these crafts (858 1/2 to 377, and 4,595 to 656, respectively.) Significant increases in minority utilization can be seen in the Electrician (7.3 to 17.1%), Operating Engineer (16.2 to 29.0%), and Field Supervisor (0 to 27.3%) crafts. Total hours worked decreased from 30,995.5 to 23,009.5, but the percentage of minority hours increased from 36.5 to 44.2%. This increase came about in spite of decreases in the total number of employees (443 to 341), in the total number of minority employees (166 to 145), and in the total number of minority hours worked (11,319 to 10,182.5). There continues to be an increase in the commitment of contractors, since the Public Utilities Commission has made it quite clear that it will not tolerate underutilization of minority employees.

In addition to employing minorities and women, $1.7 million is being awarded to minority and female subcontracting firms. The PUC has also recently awarded three professional services contracts that amount to $1.4 million, of which 35% will go to minority firms.

The PUC is committed to doing a great deal more in the area of minority business participation as 1978 progresses.

SOCIAL PROGRAMS
Sylvester Herring Chairperson
Dan Silva Co chairperson

Recommended Endorsement of Assembly Bill 2450 Legal Services to Poor. Jack Casford, substituting for Commissioner Herring.

Assembly Bill 2450 (Assemblyman Howard Berman) would appropriate $8,200,000 for a program to be administered by the State Bar of California to "expand availability of legal services for the elderly poor and other low-income persons..." Already existing legal services programs would be utilized; the State Bar would oversee the distribution of state funds; monies would be allocated for use in the various counties, with San Francisco slated for $264,874.84. The San Francisco Neighborhood Legal Assistance Foundation, for example, could use the money to open more offices, hire paralegal staff, conduct community education classes and the like.

AB 2450 was discussed at the Committee by John Doggett, Director of the State Bar's Office of Legal Services in San Francisco. He said the only statewide opposition has come from the California Real Estate Association and the California Taxpayers Association. It has received a "do pass" from the Judiciary Committee and goes now to Ways & Means.

It was
*****m/s/c that the HRC endorse AB 2450.

Recommended Endorsement of AB 2693

Assembly Bill 2693 (Assemblyman Art Agnos) would provide for the retraining of a maximum of 50 foreign medical school graduates per year for the purpose of aiding in their qualification to practice medicine in California. The appropriation would be $1,125,000. It has been passed by the Assembly Health Committee, and goes now to Ways & Means.

There were a number of Commissioner questions about this bill. On which through reports, Mr. Casford found no opposition. He pointed out that in the past the HRC has endorsed efforts (successful) to obtain qualification examination assistance from the state for Filipino dentists.

Commissioners asked for elaboration on the amount proposed, about eligibility for Americans wishing to study in medical schools abroad, and how the funds would be administered.

Commissioner del Portillo said she had been following this bill for some time, and that it was her perception that it was not designed to aid Filipinos or Latinos coming to the United Stated, but rather meant to accommodate mostly white, male, middle-class Americans who are taking medical training in other countries. Commissioner Maxwell concurred in this apprehension.

Assemblyman Agnos' office later reported that there was confusion with a piece of legislation passed two years ago which lead to Commissioner del Portillo's concerns. A letter will be written to the HRC spelling out the differences between the 1976 bill and AB 2693.

It was
*****m/s/c that the HRC endorse AB 2693.

YOUTH AND EDUCATION
Sister Bernadette Giles Chairperson
Donna Solomon Co chairperson

Report on Programs for the Physically Handicapped Commissioner Giles

At its May 18th meeting, the Committee heard a report from Dr. Martin Dean, Director, Special Education Services Department, of the School District, and two of his colleagues, Don Cross, Supervisor, Speech, Hearing, and Visually Handicapped, and Gene Willis, Resource Teacher, Multi Handicapped Program on services to disabled children. Members of the Committee were interested in the extent of the services. It was made clear that if Proposition 13 passes, the program for the physically and emotionally handicapped would continue to operate because federal law requires Districts to do so regardless of the availability of funds. Such a requirement could severly drain funds available for non-disabled students.

In response to a question about students whose tuition to private schools is paid because the District cannot provide an appropriate program, Gail Roberts reported that 235 students currently have tuition reimbursed. The majority of these are severely emotionally disturbed. It is clear that parents have a significant role in deciding whether or not a program selected by any school district in the state is appropriate for their child. The parent has a right to appeal through several levels including the state Superintendent of Instruction and Culminating in going to court.

Commissioner del Portillo was concerned that the School District did not send out information trying to locate disabled children in any language other than English.

Commissioner del Portillo suggested that the Youth and Education Committee look into the quality and recruitment policies of the Mayor's Summer Youth Program and obtain evaluation reports. Commissioner Maxwell was specifically interested in the evaluation of the portion of the Summer Youth Program operated by the School District.

Commissioner Maxwell reminded the HRC that on May 30th the Board of Supervisors will vote on the proposed anti-speculation tax ordinance, and urged that all people concerned should contact members of the Board to solicit their support of the measure.

NO NEW MATTERS
CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, June 8, 1978, at 9:15 am in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Cancelled for June
Gay Advisory	Tuesday, June 6, 1978, 12:00 noon HRC Offices, Room 509 1095 Market Street, San Francisco
Housing & Urban Development	Wednesday, May 31, 1978, 9:00 AM HRC Offices, Room 509 1095 Market Street, San Francisco
Police Liaison	Tuesday, June 19, 1978, 4:00 PM Commission Room, Main Library McAllister & Larkin Streets, San Francisco
Social Programs	To Be Announced
Youth & Education	Thursday, June 1, 1978, 3:30 PM Thursday, June 15, 1978, 3:30 PM Grance Cathedral, House Library

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:gb

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of June 8, 1978

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* NEXT MEETING: Thursday *
* June 22, 1978 *
* 9:15 A.M. *
* Commission Room, Third Floor *
* Main Library, Civic Center *

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JUN 21 1978

DOCUMENTS DEPT
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W.R. Drummer, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Dan Silva

Staff

Present: Grant Mickins, Jack Casford, Luis Escobar, Alberta Grant, Don Hesse, David Prowler, Vicky Rathbone, Wayne Redus, Gail Roberts, Emmett Rosebrough, Essie Thomas, David Treanor, Jeff Wong.

Pledge of Allegiance

Minutes of May 25, 1978 approved.

COMMUNICATIONS

- From Mayor George R. Moscone and Board of Supervisors President Dianne Feinstein, appointing Chairperson Yamakawa as a member of the Delinquency Prevention Coordination Committee, formed to address the coordination of public and private agencies serving youth.

- From Timothy F. O'Brien, Speakers Bureau Chairman, Friends of Our Firemen Committee, regarding Proposition C on the June 6th ballot and meeting being held by firemen to explain their range of services.

- From Assemblyman Art Agnos, informing that he has withdrawn his (AB 3321, a bill prohibiting life and disability insurance companies from) charging discriminatory rates to individuals who are physically disabled. This was in response to the request of the National Federation of the Blind of California, bill sponsors, which informed that the American Association of Insurance Commissions has now instituted a study for the purpose of delivering new regulations aimed at planning equitable insurance rates for the disabled.

- From Wilbur W. Hamilton, Executive Director, the San Francisco Redevelopment Agency, a copy of a letter to Roger Boas, Chief Administrative Officer of the City and Ted Frazier, Executive Director, San Francisco Coalition, enclosing the affirmative action requirements for the Yerba Buena Convention Center as prepared in conjunction with the HRC.

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- From John J. Walsh, General Manager, Personnel, Civil Service Commission, a response at length to the HRC's positions regarding potential effects of layoffs on minority and female employees of the City with passage of Proposition 13. This letter was read in full.

- From Everett Brandon, Deputy Manager, Affirmative Action, Deleuw-Greeley-Hyman (the major construction contractor to the San Francisco Wastewater Program), a copy of a memorandum to Billy Crockett, Project Manager, protesting a proposed revised organizational chart which removes Mr. Brandon's name and title. Mr. Brandon charges racial discrimination. The HRC was one of some 21 individuals and organizations to receive a copy of this memorandum from Mr. Brandon.

- From C. Michael Long, Regional Director, United States Department of Commerce, Bureau of the Census, Los Angeles, announcing a meeting for June 23, 1978, at 1 p.m. at the San Francisco Unified School District, 170 Fell Street, Board Room #30, to discuss plans for the 1980 Dicennial Census.

- From Mr. Long also, seeking information in identifying community organizations to help implement a Community Services Program aimed at getting the best possible enumeration of the nation's population. Staff reported that they had provided considerable organizational referral already by telephone to the Los Angeles Regional Office.

- From Albert C. Walker, Assistant Secretary, Civil Service Commission, a copy of a letter to Civil Service Commission Commissioner Darrell J. Salomon, asking for a response to HRC action on May 11 urging the Civil Service Commission to "immediately establish a date for a public hearing and begin to expedite its consideration of the proposed Supplementary Affirmative Action Plan."

- From Assemblyman Art Agnos, a letter explaining distinctions between AB 2693, a bill for the retraining of foreign medical school graduates, endorsed May 25, by the HRC, and legislation passed two years ago providing a similar program for American students who studied abroad. This letter was supplied at the request of Commissioner del Portillo, who with Commissioner Maxwell, had expressed concern about AB 2693.

- From Daniel Mattrocce, Retirement System General Manager, a copy of a Memorandum to all City departments giving information about City employees' status in the workforce reduction. They will be placed on "Involuntary Leave" rather than "Laid Off", and may retain their membership in the Retirement System.

- To Mayor George Moscone, a Contingency Plan for Human Rights Commission submitted June 5 by Director Mickins. See Director's Report and general discussion on the impact of Proposition 13.

DIRECTOR'S REPORT

Proposition 13 and Impact on HRC Staff and Operation: Budget Recommendations from City Hall.

This presentation and subsequent discussion dominated most of the approximately three hours the HRC met on this date.

Director Mickins discussed in detail a Contingency Plan for the HRC that he submitted to the Mayor's Office on June 5, in response to the Mayoral request for such departmental reports. It summarizes the statutory mandates of the HRC and provides "viable alternatives" to funding from ad valorem (property tax) sources. The plan drawn up by Mr. Mickins and HRC staff members outlines under Chapter 12A, 12B, and 12C of the City Administrative Code what functional operations the HRC carries out, the staff allocations and resources currently devoted to each, and the source of funding.

Thus, under Chapter 12A functional, the HRC has 4 City-funded Civil Service staff, 7 CETA-funded, and 2 unsalaried interns assigned to the areas of youth & education, social issues, housing, gay community issues, police-citizen issues, and the disabled.

Under Chapter 12B, establishing the HRC as the Equal Employment Opportunity (EEO) agency in affirmative action and contract compliance for all private contractors dealing with the City & County, 5 City-funded Civil Service, and 8 CETA employees currently are working.

Mr. Mickins stressed that currently also the HRC is meeting the EEO requirements on nearly $250 million in local, state and federal funds, including $137 million in the Wastewater and Yerba Buena Center projects, plus projects funded by the federal Economic Development Agency ($25 million), Housing & Urban Development ($1.5 million), Urban Mass Rapid Transit Agency ($28 million), and City-funded construction ($65 million).

He pointed out that, since 1966, the City has not suffered a legal challenge or administrative cutoff of funds of programs for noncompliance or affirmative action violations. "The guidelines for affirmative action and contract compliance must be met for federal, state and local needs or the City must forfeit these funds or risk losing untold millions in legal penalties and litigations," the letter reads.

Under Chapter 12C, monitoring the nondiscrimination provisions in the City's leases and rental agreements of City-owned facilities, these duties were added to the Employment staff, as no additional staffing was provided when the new chapter was added to the Administrative Code.

The HRC's administrative component includes, currently, the Director and eight employees City-funded; five CETA-funded.

Among the major recommendations made to the Mayor in the Contingency Plan are:

1. That since more than $165 million of the $230 million currently being monitored by the HRC are in Wastewater Treatment program contracts, monies from these several contracts should now be allocated to support the functions of monitoring and enforcing these provisions in accordance with EPA guidelines. Also, that the HRC's supplemental appropriation budget for $118,00 submitted many months ago with approval of the City's Chief Administrative Officer should be referred immediately to the Board of Supervisors for consideration by the Mayor's Office.

2. That revenue-producing City agencies (primarily the Aiport Commission and the Port Commission) adopt a fee structure based on the contracts they award to reimburse the HRC for services rendedered in meeting affirmative action requirements.

3. That the Departments of Public Works, Social Services, and Public Health, and the Community College District, whose City-funded contracts the HRC is monitoring, should be required to adopt a fee schedule of ½ of 1% for the services the HRC provides to meet Chapter 12B and other federal/state requirements.

The HRC stated that these recommendations would fund more than $120,000 of the $373,554 budget of the HRC for fiscal 1978-1979. The balance needed from ad valorem sources $163,000, is primarily funding for the mandated Community Organization functions of the HRC and a portion of the administrative costs.

The HRC also reiterated its official position that a formal policy of work-sharing and reduction in hours be instituted by the Mayor as an alternative to layoffs and departmental closures that would have the most severe effect on minorities and women in the workforce.

Director Mickins announced that he had received the evening before two documents from the Mayor's Office. One, attached to a Press Release, is a Revised Budget for all City departments. The other is a document compiled jointly by members of the Mayor's staff and the Board of Supervisors and the Bureau of the Budget office.

The Mayoral Press Release was read in full.

From the Mayor's Revised Budget, the Director noted that the Human Rights Commission is recommended for the following funding under three levels:

1. Under the "most severe" cutback proposal, to 134,716 or 36% of its current need. .

2. Under the second-level proposal (given restoration of some of funding now provided the City under the property tax), to $186,777 or 50% of its current need.

3. Under the third-level proposal (if additional funds are provided by other means and from other sources), to $336,198 or 90% or current needs.

However, the Director then referred to the budget recommendations in the document produced by the Mayor's staff and the Bureau of the Budget jointly, where the HRC is listed for $138,838, allowing for a Director and three staff. It does not specify professional or clerical staff.

The HRC is included under the category of Government Services in these budget recommendations.

There is confusion as to the disparity between the recommendation for $138,838 on the one hand and $134,716 on the other.

The Director stated that he had learned informally that there was a determination in City Hall to fund the HRC at $134,716 and no more, even if additional funding should make the second and third-level budgets (previously-cited) possible.

The Director then discussed the joint Bureau of the Budget/Mayor's Office Fiscal Administration staff budget recommendations. This cancels the scheduled pay increases for 1978-1979; it says that most departments "would absorb a 10 to 15 percent reduction in their salary accounts, with department heads given flexibility to effect such reductions through a reduced work week (32 to 36 hours, four-day week), normal attrition, layoff, and other budget reductions. A number of departments in this budget are marked with an asterisk, meaning that they would be eligible for funding in some part if additional resources are found. No asterisk appears by the HRC listing. Thus if the HRC were to be held to 36% of its current budget needs, Director Mickins said, it would virtually eliminate the effectiveness and work of the HRC, and would most certainly mean all CETA employees on staff would lose their jobs.

Director Mickins also said he'd heard informally that one recommendation had been that the HRC be totally eliminated. He pointed out that the HRC would continue to press its worksharing position. And he noted also that members of the HRC's professional and clerical permanent Civil Service staff with 8 to 12 years' service to the HRC are in immediate jeopardy of losing their jobs.

It is estimated that 40 to 50% of the City minority workforce would be lost under these cuts; Oakland is estimating 60% of its minority workforce; and Los Angeles reported that it expects to lose 70 to 80% of those in its system with from 7 to 10 years' tenure.

- Commissioner Morrissey suggested that the HRC might consider charging a fee from persons requesting its ervices, in addition to contractors. Director Mickins stated that most of the HRC's clients are very low-income and ill-equipped to pay fees.

Commissioner Fine took exception to the fee suggestions, saying that the HRC does not have the statutory authority to set fees for Chapter 12A services, and that under Chapter 12B the HRC would have to have authority defined and delegated by the Board of Supervisors.

Commissioner Mezey commented that it was important to recognize that passage of Proposition 13 did not occur in San Francisco, and that while it may have been the will of the people of the state it was not that of San Franciscans.

Director Mickins repeated that most City departments were recommended under the joint budget for 70 to 90% of their current needs, whereby the HRC was shown at the 36%-of need level and called this "discriminatory."

- Commissioner del Portillo asked what specifically the members of the HRC could do on an urgency basis, given the jeopardy the HRC's budget, mandate, and staff appeared to be in.

Director Mickins asked that a kind of watchdog committee of members of the HRC be named by the Chairperson to keep on top of daily developments at the City Hall level.

Commissioner Morrissey urged that the HRC try to assist the Mayor's budget problem by suggesting and finding other sources of support, including grants from community funds, or from groups that feel they benefit from the HRC's operation.

Commissioner Maxwell voiced her opposition to assessing a fee from individual clients of the HRC.

After further discussion, it was
*****m/s/c that the HRC insist that it be included with other City departments, boards and commissions recommended for higher budget allocations at the second and third levels, if additional funds are available to the City.

Commissioner Fine strongly stressed the possible noncompliance risk the City runs in cutting funds from an agency mandated to help it (the City) conform to federal guidelines on federally-funded projects. He urged reiteration of the dollar amount of federal funds that could be lost.

Commissioners expressed in various ways their feelings that intense personal contacts should be made with the Mayor's Office, the Bureau of the Budget, and the Finance Committee of the Board of Supervisors, as well as individual members of the Board. They also emphasized that all support actions on their behalf be submitted with individual names of each. It was suggested that the HRC be in touch with those community groups that have in the past worked with it and benefited from its support.

Commissioner Herring asked if the City Attorney could be asked for an Opinion on the consequences of the HRC's being unable, because of a cut in funds, to fulfill legal obligations for affirmative action conformity. He was told that this has not been done as of this date.

On the Director's suggestion, it was
*****m/s/c that the HRC ask the Mayor's Office to process the HRC's supplemental budget request for $118,000 (submitted more than a year ago) to monitor the Wastewater project contracts.

On the action of Commissioner Fine, it was then
*****m/s/c that all communications to the Mayor, the Board of Supervisors, and all other City officials relating to the budget of the HRC be sent with the names of all Commissioners listed individually.

- Commissioner del Portillo requested the Director to provide her with the Contingency Plan for the Human Rights Commission document prepared by him and staff.

Commissioner Zarour suggested an emergency meeting of the HRC soon to plan and execute strategy for contacting public officials regarding the threat to its being able to carry out its legal mandate.

Commissioner Giles said that she would be in Washington, D.C. June 18-25 and would call on members of the California Congressional delegation on the HRC's behalf at that time.

Director Mickins, responding to Commissioner Herring's call for making the budget crisis a priority task of staff, reported that morale of all HRC staff had been very low in recent weeks, pressured both by uncertainty over their jobs and by the continuing demands in the workload.

Staff was asked to prepare background and supportive materials and contact lists of City officials for use by the Commissioners in their supportive efforts.

- Commissioner Fine then made a long statement, which included the observations:

1. That the HRC staff, "under the worst conditions and with minimal support have done a superb job". He said that no one on the HRC had been insensitive to what the staff had been going through during the Jarvis-Gann initiative campaign and passage, and what they face now.
2. That when members of the HRC have a better perception of what final decisions will have to be faced, although it may mean a further undermining of the staff, as a whole they might have to say to the City government "we cannot morally and conscientiously continue to serve under these conditions".

Commissioner Maxwell commented that there seemed to be a growing indifference to minority employment, and that the voters seem to be a different group than those they have elected to office.

At the request of the Director, it was
*****m/s/c that the HRC formally approve the Contingency Plan for Human Rights Commission letter sent June 5 to Mayor Moscone with recommendations that include adoption of a fee structure (through inter-departmental work orders) based on contracts that revenue-producing agencies of the City have with the HRC for monitoring and other services.

- At this point, Director Mickins was notified of a special meeting called for the afternoon of this meeting by the Mayor with department heads. At this meeting, the Director learned verbally from Rudolf Nothenberg, Executive Deputy for Program and Fiscal Administration, Mayor's Office, that the HRC had been omitted by clerical error from the budget recommendation that held it to no more than 36.1% of its current budget need, and that the HRC would be funded at "between 36% and 90%."

******A Special Meeting of the HRC to consider actions and responses on the budget crisis was set for Monday, June 12, at 9:15 A.M. in the Third Floor Commission Room in the Main Library.

- Commissioner Fine suggested if there were no quorum for this meeting, that it be considered a meeting of the Administrative Committee and authorized to take any action necessary.

- During this meeting snapshorts were taken of the HRC during its deliberations by Wayne Redus, at the request of the Mayor's Citizens Assistance Agency.

YOUTH & EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Three agenda items were scheduled for discussion at this meeting.

- Statement on English Language Instruction and Bilingual-Bicultural Education and Proposed Resolution of the Human Rights.

- Programs for the Disabled in the San Francisco Public Schools. Acceptance of HRC Staff Report and Adoption of Recommendations: Emmett Rosebrough, HRC Community Liaison Specialist.

- Complaint of Patrick Henry Elementary School Teachers re: Compensatory Education Funds for Field Trips.

- Dr. Martin Dean, Director, Special Education Services Department, and A. Donald Cross, Supervisor, Programs for Speech, Hearing and Visually Handicapped.

Commissioner Giles said that in view of the time spent (nearly three hours) already these reports could be postponed to the HRC's June 22 agenda and it was formally agreed to defer them to that time. Any apology was made to Dr. Dean, who arrived later and could not be notified in advance of leaving his office. Dr. Dean had been invited to the HRC to discuss Mr. Rosebrough's report and to respond to charges printed in the San Francisco Teacher, May-June, 1978, reporting on an investigation of the SFUSD handicapped program.

HOUSING & URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Report on Housing Coalition Anti-Speculation Tax

This measure, endoresed by the HRC this Spring, was defeated by the Board of Supervisors June 5.

CHAPTER 12B REVISION COMMITTEE
Enola Maxwell, Chairperson
Donna Solomon, Co-Chairperson

- Status of Revision - Wayne Redus

Supervisor Carol Ruth Silver has accepted the revised version of her ordinances to amend Chapter 16 of the City Administrative Code, mandating City boards and departments to implement affirmative action plans. The HRC's suggestions were accepted without change by Supervisor Silver and the amendments are to be considered by the Board of Supervisors' Community Services Committee July 13.

REMARKS FROM THE AUDIENCE

- Synanon Representatives and Incident of June 2, 1978

Mr. Lou Delgado, (accompanied by Ms. Debra Dederich) addressed the HRC regarding an incident involving the San Francisco Police Department and members of the Synanon organization at 2240 24th Street on June 2.

Mr. Delgado prefaced discussion of the incident with background on Synanon and his association with it, its aims and objectives, etc. He cited what he called "media opposition" to Synanon, both in southern California and in San Francisco. He said some local media had accused Synanon of being terrorists and that there had been bad coverage of the group.

On June 2, a reported 13 police cars and 28 police officers (Mr. Delgado's figures) came to Synanon headquarters at 2240 24th Street to carry out a court-ordered change of custody of three children. Mr. Delgado said the police officers were served coffee by women with the Synanon organization but he gave no more details of the incident.

Ms. Dederich then read in full a letter from Police Chief Charles R. Gain

regretting the incident, and the "adverse effect on Synanon persons" (of seeing so many police officers in a custody case). He said in the future the Police Department will confer with Synanon representatives before taking similar action.

Mr. Delgado asked that the HRC intercede with the Office of the Mayor to call a press conference to make a public statement on the incident and state that Synanon is an asset to the community.

*****Director Mickins asked Joseph Meza, staff for the HRC Police Liaison Committee to meet with representatives of Synanon on this request.

Mr. Delgado offered the services of the Synanon organization to the HRC.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, June 22, 1978, at 9:15 A.M. in the Third Floor Commission Room.

STANDING COMMITTEES

Employment	Cancelled for June
Gay Advisory	Tuesday, June 13, 1978, 12:00 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	Cancelled for June
Police Liaison	To be announced
Social Programs	To be announced
Youth & Education	Thursday, June 15, 1978, 3:30 P.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM: JC:lm (6/14/78)

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of June 22, 1978

NEXT MEETING	Thursday July 13, 1978 9:15 A.M.
	Commission Room, Third Floor Main Library, Civic Center
	THIS IS THE ONLY MEETING IN JULY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings

JUL 5 1979

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Carlota del Portillo, Anthony Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon.

Excused: Vernon Alley, Rev. W. R. Drummer, Rabbi Alvin I. Fine, Sister Mary Bernadette Giles, Dan Silva, Nadim Zarour

Staff

Present: Grant S. Mickins (Director), Frank Anderson, Pauline Anderson, Jack Casford, Luis Escobar, Alberta Grant, Linell Harden, Don Hesse, Karen Hill, Marion How, Grace Markham, Joe Meza, Elizabeth Muao, Vicky Rathbone, Wayne Redus, Gail Roberts, Emmett Rosebrough, Essie Thomas, Blanca Torres, Edward Vurek, Denisa Washington.

Pledge of Allegiance

Minutes of June 8, 1978 approved.

COMMUNICATIONS

- From Bennie Holmes, Chairman, Western Addition Picnic Committee, soliciting donations for the annual picnic to be held Saturday, August 19th, from 10:30 a.m. to 5 p.m., at Kimball Park, bound by Steiner, Geary, and O'Farrell Streets.

- From Justine "Susie" Suafai, Director, Women in Apprenticeship, Inc., requesting endorsement of WAP's Program for Department of Labor funds for recruiters.

- From Mrs. June Keller, Coordinator, Community Services, Department of Social Services, resigning from the Social Programs Committee and assigning Ms. Maritza Hankins as her replacement. Ms. Keller was thanked formally for her service on the Social Programs Committee.

- From James Richards, Chairman, Bayview-Hunters Point Concerned People for Action, a copy of a letter to Richard Sklar, Wastewater Management Program. Copies were sent to the Mayor, the Board of Supervisors, and seventeen other individuals, legislators, federal and state agencies, and contractors. Director Mickins summarized this letter which expressed the organization's concerns about the affirmative action entrepreneur segment of the Wastewater

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Project and requested a meeting to discuss a number of requests on the subject of entrepreneurial assistance.

- From Supervisor Ella Hill Hutch, District Four, assuring the HRC of her careful attention to the HRC suggestions on minimizing the layoffs of City employees.

- From Rufus Garrett, Director, Bayview-Hunters Point Affirmative Action Program through Apprenticeship Opportunity Foundation, urging that the Mayor and Board of Supervisors support funding of the HRC at its present level and praising its services to minority work opportunities.

- From David S. Yee, Executive Vice President, Dickman Builders, Inc., also urging that the City maintain the HRC budget, stating, "We, as contractors, would much rather deal with one official organization than a myriad of community groups as we would undoubtedly be forced to do if the Human Rights Commission ceases to be effective."

- To Supervisor Quentin Kopp, Chairman, Board of Supervisors Special Committee to Implement State Proposition 13, from Director Mickins and Chairperson Yamakawa, responding to the Committee's request for the "Worst Case" budget for the HRC. This letter was read in full and introduced the discussion of the budget cutbacks status of the HRC under Director's Report section below.

DIRECTOR'S REPORT

- Proposition 13 Passage/City Budget Recommendations/HRC Status

Director Mickins and staff have monitored meetings at the Board of Supervisors and by its Special Committee to Implement Proposition 13 during the past two weeks. Mr. Mickins fortunately learned that on June 15th the Board had asked for departmental heads to make presentations (with no prior notice internally). Thus he made a presentation (which he described in some detail) stating the HRC's position on budgeting needs to carry out its mandate. Subsequently, Supervisors Gonzales' motion to have all department heads submit "worst case" budget levels was adopted. Director Mickins then made another brief presentation on the HRC needs under its legal mandates.

Mr. Mickins also appeared at the Civil Service Commission meeting at which Rule 32 regarding its seniority-in-layoffs policy was passed.

Mr. Mickins announced also that on June 19th the CSC rescinded the payment of bilingual translation and interpretation supplements to City employees. Eight members of the HRC staff perform these services and currently receive these supplements.

- When the CSC staff report on the bilingual supplement policy is received and studied by the HRC, the Director will ask that action be considered on it.

Mr. Mickins then read the HRC's letter to Supervisor Kopp in full (cited in Communications above), attaching the HRC's June 14 letter to the full Board requesting a 90% budgeting (90% of the 1978-79 budget passed -- prior to passage of Proposition 13). The HRC had written that budgeting at the "worst case" level, or 36%, would leave it with only a "skeletal" staff, as would the 50% level. Under the latter level, all of the CETA-funded (Comprehensive Employment Training Act) staff would have been lost to HRC work, and 54% of the City-funded permanent staff would have been laid off. This latter letter was written following actions taken at the HRC's Special Meeting of June 12, 1978.

On June 19th, the Board of Supervisors adopted the recommendations of the Special Select Committee which would grant the HRC 85% of its previously-approved fiscal 1978-1979 budget.

- Director Mickins noted that Supervisor Hutch had been the major support for bringing the HRC's recommended budget up to 85% during the deliberations of both the Select Committee and the full Board.

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- The Director then read in full a Memorandum to all department heads on June 20th from Rudolf Nothenberg, Executive Deputy for Program and Fiscal Administration, attaching a tentative funding schedule for all City departments and requesting by June 22nd suggestions as to "which lines in your 78/79 budget you would propose to reduce in order to achieve this reduced budget level." Commissioners then referred to their copies of the recommendations that the Director and staff were making in response to the June 20th memorandum from Mr. Nothenberg, as follows:

Previously approved	$373,554
85% new authorization	317,487
Difference	$ 56,067

To 'save' $56,067, the following revisions are hereby recommended

	1977-8	1978-9	$-Level Reduction
Permanent salaries	$220,303	$248,735	$48,490*
Overtime	450	450	50
Commissioners Fees	5,400	5,400	1,500
Contractual Services	15,920	15,920	-0-
Use of Employee Cars	950	650	-0-
Other Professional Services	0	400	-0-
Materials & Supplies	4,200	4,500	-0-
Equipment	1,398	612	-0-
Rental of Office Space	22,770	24,380	-0-
Membership Dues	200	200	200
Mandatory Fringe	55,496	67,712	5,848
Services of other Departments	5,014	3,580	-0-
	$332,101	$373,554	$56,088
		- 56,088	
		$317,466-Balance	

*1) Adjustment to 1977-8 salary level, all staff-approximately $19,000 exempted.
2) Deletion of 1444 Clerk-Steno position--------approximately $11,000
3) Reduced 40 hour workweek to a 36 hour workweek for permanent (professional and administrative) positions--approximately $19,000

- It was noted also that professional and clerical staff members would lose an additional 12.5% salary increase that had been granted under the Salary Standardization Ordinance. This would have been the fairest salary increase the professional classes had ever received in the fourteen years of the HRC's existence, during which time their increases ranged from zero to 7 percent.

Mr. Mickins said that the reduced hour reduction for the HRC's nine permanent professional City-funded employees (Director, two Coordinators, five Representatives, ane Office Manager) would mean a workweek of 36 hours, a reduction of four hours from the regular 40-hour week, or the loss of a day's pay every two weeks. Permanent clerical employees were exempted from a reduced workweek, Mr. Mickins said, because the HRC wished to avoid hardship to persons with lower salaries.

Mr. Mickins discussed the breakdown figures in detail, noting that the HRC, with a very small staff (only one professional person has left the permanent staff, by retirement, in ten years), has no flexibility through attrition (turnover, resignation, or positions unfilled) as other City departments with large workforces. Thus virtually the only cuts that can be made are in reduced work hours.

Mr. Mickins said that if the HRC could be raised to 90% of its already-approved (prior to Proposition 13) budget, it would be able, with sharp economies, to maintain its work without cutting salaries through reduced workweeks for the professional permanent staff.

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It was announced that Chief Administrative Officer Roger Boas has signed the HRC Wastewater Management Program budget, which includes the $118,000 that the HRC is due for its affirmative action services to contractors in that program. If granted, this would significantly relieve some of the enormous cost experienced by HRC during the past year and fund staff positions devoted exclusively to this massive program.

Finally, there still remains the state surplus money allocation to the City, estimated to be some $50 million. Chairperson Yamakawa noted, however, that the state surplus funds would be a one-time occurrence, and that by 1980 at the latest municipalities and local districts could no longer expect infusions of state monies to help them budget departmental services.

Commissioner Maxwell stated that she felt that the HRC would get very little of the state surplus money allocation. She exhorted members of the HRC and the staff to attend meetings of the Board of Supervisors and to confront individual members and other City officials with the urgency of continuing HRC funding and its services to the City and its communities.

Commissioner Morrissey inquired about attrition on the staff (one professional retirement in ten years), about overtime (not paid) and compensation time (time off for overtime, to be taken with approval of the Director and within a calendar year).

HRC staff were invited to ask questions and comment during the HRC discussion of the budget cutbacks and their impact.

Commissioner del Portillo noted that no unauthorized overtime can be paid in City departments. She urged that the HRC submit its budget cutbacks breakdown from the standpoint that even a total funding increase of $19,000 by the Mayor's Office would avoid the necessity of imposing a salary/workweek cutback on the professional permanent staff.

Chairperson Yamakawa reiterated his concern that the HRC and other departments would face funding and staffing crises in the very near future, since the state surplus allocations mentioned earlier would be a one-time occurrence. The real fight, he said, would be in the years ahead, and the current budget would be only in a sense "buying time". He said he felt that the HRC will have to implement more active lobbying to protect its mandate than it did in the current situation.

With an amendment offered by Commissioner Mezey and unanimously accepted, it was

**** m/s/c that the HRC approve the recommendations made by the HRC Director for the fiscal 1978-1979 budget (in response to the Nothenberg memorandum of June 20) but that this approval not be considered an indication that the HRC accepts a cutback of its budget to 85% of the previous level, nor an acceptance of the suspension in the Salary Standardization Ordinance affecting all City employees.

STANDING COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles - Chairperson
Donna Solomon - Co-Chairperson

- Response to News Article in the San Francisco Teacher (the official publication of the San Francisco Federation of Teachers, Local 61, AFT, AFL-CIO), "District Cited for Failing to Aid the Handicapped." - Martin Dean, Director, Special Education Services Department, San Francisco Unified School District.

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Dr. Dean was accompanied to the meeting by Ms. Gene Willis, Coordinator, Multi-Handicapped Program, SFUSD. His appearance had been postponed from the HRC agenda for June 8, 1978.

The news article in question appeared in the San Francisco Teacher issue for May-June, 1978. Its lead paragraph read: "State Education Department evaluators warned the San Francisco school district last month that it could lose all funds for all federal programs within three years if it does not begin providing adequate education for handicapped students." A copy of this article in full was provided each Commissioners.

Dr. Dean first addressed the Recommendations on Programs for the Disabled that the HRC was being asked to act on later in this meeting, and said that the District was in accord with those that applied to its jurisdiction.

Regarding the article above, he said that his and his colleagues' interpretation of the State Education Department review team (the "evaluators" cited in the first paragraph) was that it was generally laudatory and favorable to District programs. He said the team's report has not yet been submitted to the District, however. Although the team did, he said, find one or two things that needed to be improved, he and District staff would feel that, contrary to the article's interpretation of a largely-critical report, the review team was largely favorable. While, he said, the above-quoted first paragraph was true in that all federal monies would be lost if a district were in noncompliance with handicapped program guidelines, the SFUSD is in compliance, lacking only a clerical procedure of "logging in" distribution of rights folders to children and parents."

Dr. Dean responded to questions about special aid programs. He informed Commissioner Morrissey that children in parochial, independent or private schools that wish special services (handicapped) programs are eligible for them, but they must come to public schools to receive them.

Commissioner were provided with copies of resource documents, but they must come to public schools to receive them.

Commissioner were provided with copies of resource documents, including the Basic Requirements of Public Law 94-142, Education for All Handicapped Children Act of 1975.

To Commissioner del Portillo, Dr. Dean explained that a figure of 1,295 shown in statistical tables provided by the SFUSD to the HRC (see report covered below) under a category "Speech-Waiting List" meant that that number with mild speech handicaps were currently not in special programs. It said it was the custom to identify these children and observe them, and that most of them who have mild handicaps at the beginning elementary levels do not have them beyond the third grade. Commissioner del Portillo also commented on what she called the "disproportionate" number of Black (under a column headed " "N", a designation for Negro which the HRC does not use, but which elicited critical comment from Commissioners Maxwell and Herring) students under the "Speech-Indirect" category meaning "observance of a youngster and consultation with the classroom teacher." Under this category, the figures were: Spanish-speaking: 162; N (or Black) 401; Chinese 233; Other White, 200. The percentiles, respectively, above were: 14.3%; 35.4%; 20.6%; and 17.7%, of the total figure in this category of 1,133. Dr. Dean told Commissioner Mezey that Black children who had difficulty adjusting to standard English ("who spoke Black dialect")would be in the "Speech-Indirect" category.

Dr. Dean was thanked for his presentation and information by the Chair.

- Programs for the Disabled in the San Francisco Unified School District, 1977-1978 - Emmett Rosebrough, HRC Community Liaison Worker.

Chapter 12A of the San Francisco Administrative Code was amended August 24, 1974, to include disability within the scope of the Ordinance as a protected class. In order for the Human Rights Commission to fulfill its obligation under this ordinance, staff obtained information on programs for the disabled in the San Francisco Unified School District. According to

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Chapter 12A, Section 3, "Disability is a physical or mental impairment which does not make the person incapable of making use of the accommodations, advantages, facilities, privileges, services or membership in business, social or other establishments or organizations with a reasonable accommodation to his or her disability, and does not make the person incapable of making such use in a manner which would not endanger his or her health and safety of others."

This report is based on information supplied in interviews with staff and on-site visits at the San Francisco Unified School District's Special Education Services Department. The programs offered for the disabled are: for the speech, hearing and visually-handicapped; multi-handicapped; mentally-handicapped; severe language/aphasic pupils; severely hard-of-hearing; trainable mentally-handicapped; and profoundly and orthopedically-handicapped.

Mr. Rosebrough's extensive narrative and statistical report was provided well in advance of this meeting to all Commissioners for their study. At this meeting, he touched on highlights of each of the services for the disabled, all the way from bus and home teacher services, to Install-A-Phone or Tel-Teaching facilities. His report describes the District's procedures for placement of pupils with screening referrals, on-site meetings, parent consultations, and annual re-evaluations of each student.

Tables of statistics, provided by the District, showed the racial/ethnic distribution programs for the disabled in elementary and secondary schools of the SFUSD.

Also attached was a copy of the document called, "Annual Notification of Rights Under the Family Rights and Private Act of 1974," provided each year to parents/guardians of children, dependent adults over 18, and individual adults and a copy of "Parents' Rights and Procedures for Appeal."

It was

**** m/s/c that the HRC accept Mr. Rosebrough's report, Programs for the Disabled in the San Francisco Unified School District, 1977-1978. Mr. Rosebrough was tendered the praise and thanks of the HRC for his work. (A copy of this report is available by telephoning Emmett Rosebrough at 558-4901.)

- Recommendations on Programs for the Disabled

This list of eight specific recommendations, adopted by the Youth & Education Committee, was read in full. It was then

**** m/s/c that the HRC adopt the following recommendations that:

1. The San Francisco Unified School District solicit and utilize the recommendations of the Special Education Advisory Committee in the formulation and implementation of Special Education programs.

2. The SFUSD provide inservice training for regular teachers who will have disabled pupils in their classes for the 1978-79 school year.

3. Search and Serve information and information on the rights of parents to appeal student placement, circulated to parents and the community, be printed in the dominant languages.

4. Existing programs for disabled adults over twenty-one currently operated by the Community College District and non-profit agencies, be expanded to eliminate waiting lists and that resources be coordinated to maximize utilization of services.

5. The waiting lists of pupils needing special education services be monitored to ensure that no pupil be obliged to wait one month or longer for services, and that support staff be sufficient to obviate waiting lists.

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6. Facilities in regular schools which are used by disabled pupils be adequate for them.

7. The rights of parents and students to confidentiality, to appeal placement decisions, and to appropriate programming be scrupulously protected, and

8. The impact of the Educational Redesign Plan on disabled students be monitored throughout the 1978-79 school year.

Commenting on No. 4, Mr. Rosebrough said that presently two facilities provide vocational training and counseling for retarded and disabled persons over 21 years of age. They are the San Francisco Community Rehabilitation Workshop, at 191 Eighth Street, and Goodwill Industries, at 980 Howard Street. He strongly urged that another facility be established to reach those persons now "on the street" because of this lack.

- Request for Endorsement of Proposal for Youth Advocates in the San Francisco Public Schools - Ms. Valerie Blake, American Friends' Service Committee. (This agenda item was moved, by HRC vote, ahead of other agenda items because of the presence of an invited speaker.)

Ms. Blake, a longtime member of the Youth & Education Committee, discussed the written proposal, provided in advance to the HRC. The proposal is for a pilot program to be carried out in one or two of the public City high and/or junior high schools. It presents a "student advocacy model" in which students act as mediators for student suspensions and disciplinary problems, assisted by on-site advisors. The proposal, said Ms. Blake, originates out of wide-spread concern over the disproportionate rate of Black youth suspended and the high percentage of suspensions in the areas of "insubordination" and "defiance of authority."

Ms. Blake's proposal text cites several studies to illustrate the need for a suspensions program along the lines of the Youth Advocates proposal. It said that the Annual Report on Student Suspensions for the SFUSD for the 1975-1976 school year showed 491 Blacks were suspended in senior high schools compared to 74 Spanish-Surname/Spanish-speaking, or 158 Caucasian; in elementary schools in the same school year, 944 Blacks were suspended compared to 75 Spanish-Surname/Spanish-speaking, or 177 Caucasian. Other studies cited were the 1974 Children Defense Fund study of school-age children out of school, the N.A.A.C.P. report of September 5, 1977, and the Junior League of San Francisco report of January 15, 1976.

Ms. Blake said that the School District recently announced that the number of Black suspensions has gone down, but she said this could be attributed, in part, to monitoring by Black community leaders in recent months. She also said she had not been able to study the statistics that would bear out this claim by the District. She said she had been told that the figures had not yet been published in complete form for the public.

Ms. Blake said her proposal sought to help students take more responsibility in understanding the school system, faculty and administration, as well as knowing what both their rights and responsibilities are. She said her proposal addressed not only the high level of Black suspensions but alternatives to suspensions as well.

In response to Commissioner Mezey's question about funding estimates, Ms. Blake said the cost had not yet been worked out, but that she hoped funding (to come from an outside source or foundation) would make it possible for Youth Advocates to be paid. She said either the American Friends Service Committee or the School District could be the recipient of the funds.

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Ms. Blake said she was seeking an HRC endorsement of the principle of the Youth Advocate program. The Proposal would then be transmitted to the School District's Task Force on School Environment, on which the HRC is represented.

Chairperson Yamakawa noted that the HRC endorsement of the Counseling/Educational Centers had been on the condition that Dr. John Clevelan, then Associate Superintendent, Office of Instruction, be responsible for staff selection and for preparation of periodic reports on the progress of the Centers to the Youth and Education Committee. Ms. Blake answered Commissioner del Portillo's inquiring on the School District's feelings about her proposal by saying that there was no position of support on the part of the top administration of the District, but that some of the staff at a school site where she is working on a pilot program were favorable.

Five recommendations had been adopted by the Youth & Education Committee. A number of Commissioners expressed reluctance to make a blanket endorsement of all recommendations, given the uncertainty still existing of at what levels youth-serving programs would be funded. A motion to adopt the five recommendations did not receive a second.

**** Commissioner Solomon was asked to return to the HRC meeting of July 13th with an up-date of the recommendations for HRC action.

- Complaint of Patrick Henry Elementary School Teachers re: Compensatory Education Funds for Field Trips.

This subject was postponed for discussion at a future HRC meeting.

- Statement on English Language Instruction and Bilingual-Bicultural Education and Resolution of the Human Rights Commission.

This subject was postponed for discussion at a future HRC meeting.

CALENDAR MATTERS

The next meeting of the HRC will be Thursday, July 13, 1978, at 9:15 in the Third Floor Commission Room of the Main Library in the Civic Center. This will be the only meeting in July.

STANDING COMMITTEES

Employment	Thursday, July 20, 1978 78 9:30 A.M. Grace Cathedral Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, June 6, 1978 12 Noon HRC Offices - Room 509 1095 Market Street - San Francisco
Housing & Urban Development	To be announced
Police Liaison	Tuesday, July 18, 1978 Main Library-Commission Room Civic Center - San Francisco
Social Programs	To be announced
Youth & Education	June 29th meeting cancelled- Thursday 3, 1978 - Grace Cathedral

NO NEW MATTERS
NO REMARKS FROM THE AUDIENCE
ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:pa

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of July 13, 1978

NEXT MEETING Thursday
August 10, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

THIS IS THE ONLY MEETING IN AUGUST

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

AUG 11 1978
DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Rev W.R. Drummer, Rabbi Alvin I. Fine, Enola Maxwell, Caryl Mezey, Donna Solomon, Nadim Zarour.

Excused: Carlota del Portillo, Sister Mary Bernadette Giles, Anthony Grafilo, Sylvester Herring, Phyllis Lyon, John Morrissey, Dan Silva.

Staff

Present: Grant S. Mickins, Jack Casford, Luis Escobar, Don Hesse, Wayne Redus, Emmett Rocebrough, Essie Thomas.

Pledge of Allegiance

Minutes of June 22, 1978, approved with two corrections:

1. The date of the next Employment Committee meeting is August 3, not July 20.
2. See Youth & Education section of these minutes regarding HRC's June 22 endorsement of the Youth Advocate Proposal.

COMMUNICATIONS

- From Mrs. Helen Helton and the Rev. Norman E. Leach, of the San Francisco Council of Churches, soliciting purchase of advertisements in a Commemoration Book being published on the 75th Anniversary of the Council.

- From Vince Courtney, Chairman, Service Employees International Union (Local 400) Joint Council, a copy of a letter to Assemblywoman Maxine Waters, expressing the Council's opposition to the current language of AB 3532 relating to layoff policies in the Civil Service System.

- From Victor C. Thuesen, Coordinator, Labor Studies Program, San Francisco Community College District, a copy of the brochure announcing the Program's Fall semester class offerings.

- From Supervisor Lee Dolson, (in a letter of June 16), stating his position that no layoffs, cutbacks, reduced workweeks or salary reductions will be needed to "balance San Francisco's budget." He stated that "the only changes needed in personnel accounts include a continuation of salary at the '77-'78 level and a hard refusal to back fill positions now funded but which will become vacant through normal attrition." See Director's Report on the HRC's plans to deal with a budget reduced by 15%.

- From Jenifer Renzel, Vice President, Bank of America, enclosing two copies of the bank's circular regarding its policy against discrimination based on sexual orientation distributed to all branches and units in San Francisco. This circular, which was read in full by Director Mickins, was part of a settlement agreement between the HRC and the Bank of America in the case of Carter vs. Bank of America.

- From Vince Courtney, Chairman, SEIU Joint Council (Local 400) a letter attaching a copy of a letter sent to Supervisor Ella Hill Hutch requesting submission of a Charter amendment mandating examinations for permanent City jobs for CETA (Comprehensive Employment Training Act) and temporary employees within their first year of employment. Mr. Courtney welcomed discussions with the HRC on this proposal.

- From Rudy Nothenberg, Executive Deputy for Program and Fiscal Administration, Office of the Mayor, a memorandum to all City department heads announcing withdrawal of City funding for organizational dues and all travel funds other than travel between City-owned facilities.

- From James A. Hanni, Manager, Affirmative Action Planning, Fireman's Fund Insurance Companies, requesting HRC affirmative action information, specifically a copy of the most recent list of all City contractors and suppliers, and permission to inspect all "finalized documents" on file with the HRC. This list was provided Mr. Hanni by returned mail.

- From Mayor George R. Moscone, a Memorandum to all City department heads and personnel officers, requesting that the Civil Service Department be given no less than five working days' notice between the handing out of any lay-off notices and the effective date of such notice.

- From Glen A. Holman, Director, California Church Council, the Office for State Affairs, soliciting contributions to help continue church programs for legislative input.

- From Carmen Carrillo, Ph.D., Director, Mission Mental Health Center, to Commissioner del Portillo, inviting her attendance at a meeting with Hispanic women's community representatives on July 17th.

- From William R. Shapiro, Yori Wada, and Leandro P. Soto, on behalf of Canon Kip Community House announcing a dinner-dance to honor Eugene Coleman, Director, on Sunday August 27th, at the San Francisco Mint.

- From the Rev. Amos C. Brown, Third Baptist Church, responding to HRC concerns in a recent school controversy, and inviting the HRC to attend weekly community meetings. The Rev. Brown and other Black community leaders had led a school attendance boycott movement in protest of certain budget policies of the San Francisco Unified School District.

- From the office of the District Attorney of San Francisco, Consumer Fraud/White Collar Crime Unit, a copy of a news release announcing filing of a civil lawsuit to protect the rights of Spanish-speaking consumers.

DIRECTOR'S REPORT

- HRC Budget for 1978-1979

The final status, post-Proposition 13, is that the HRC will have a budget 85% of that previously granted, or $317,384. The $22,730 cut was virtually entirely in the 110 Account, Personnel. The HRC's suggestions, submitted to the Mayor's Office at its request, on how it could best absorb a 15% cut, were not followed. All dues in professional organizations, such as the International Association of Official Human Rights Agencies, and the California Association of Human Rights Organizations, was deleted, as were all travel allowances locally or out-of-state, including reimbursement for use by employees of their own cars. HRC contract compliance officers and others in affirmative action work must make on-site inspection visits to construction jobs. A long-promised new electric typewriter was deleted.

Director Mickins had announced previously that nine permanent, City-funded, professional employees would be put on a reduced work week (from 40 to 36 hours per week) in order to absorb the 15% cut in budget and prevent layoffs of permanent employees. He read in full a June 26 memorandum to staff announcing postponement for a maximum of sixty days of this reduced work week in order to:

1. See if the state surplus money to the City could provide full salary funding to the HRC. It did not.
2. Determine if the Mayor's Office or the Board of Supervisors could be persuaded to bring HRC funding to the 90% level. They could not be so persuaded.
3. Afford time t process the Wastewater project supplemental appropriations through the Board of Supervisors, which would provide the HRC some $100,000 for monitoring this massive, largely federally-funded project for the City. As of July 7, the Mayor's Office had not yet forwarded this funding authorization to the Board of Supervisors, which must then refer it to the Finance Committee for consideration and a recommendation for Board action. At the earliest, Director Mickins said, this could not be achieved before July 26.

The memorandum says the reduced work week will be rescinded if any of the foregoing efforts are achieved. If they fail, the reduced work week will be imposed effective September 1, with an added reduction calculated to balance out the two-month deficit of July and August.

The Director said that presently the HRC is monitoring some $200 million in construction contracts of the Wastewater project, and this amount is expected to rise to $250 million in contracts. The responsibilities of its staff will also take a sharp rise with the beginning of excavation at the long-delayed Yerba Buena Center project in August.

- Continuation of Bilingual Pay Supplement

This issue before the Civil Service Commission (whether persons who provide bilingual services as part of their jobs will continue to receive modest pay supplements) is awaiting the return of Commissioner Lillian Sing.

- Bakke Decision by the U.S. Supreme Court

In Director Mickins' commentary on this decision, he said:

1. That on cursory examination it appeared that the HRC's affirmative action program is very much in conformity with what the Supreme Court ruled was acceptable, even though the decision dealt only with college and university admissions policies and not employment.
2. Many people feel that a very important principle was established: that race can be a factor in admissions policies in colleges and universities.
3. That the U.S. Supreme Court handed down another significant decision the day after the Bakke case announcement, in overturning a Los Angeles Appellate Court decision regarding the Public Works Act of 1977 (a public employment program) which required that 10% of the contracts let through these funds must be awarded minority entreprises. The Los Angeles court had ruled this unconstitutional.
4. On balance, these Supreme Court decisions are most supportive of affirmative action efforts, such as the HRC's, that are not exclusionary in nature.

Commissioner Fine said that any negative results of the Bakke decision will most likely be indirect, in the field of employment rather than education. "s an aftermath of Bakke." He felt there would be an inclination by people to seek legal redress through the courts. He noted that the manner in which the Court "straddled the issue" is close to the tenor of the HRC's (Resolution

adopted October 13, 1977, Endorsing Efforts to Urge the U.S. Supreme Court to Overturn the Bakke Decision) before the decision was announced, urging University of California revision of its admissions policy ("using goals, not quotas...") rather than call for a clear-cut decision on the racial aspect.

- Annual Convention of International Association of Official Human Relations Agencies.

Director Mickins will attend, at his own expense, the annual convention of IAOHRA in Seattle from July 17 through 21. He said that he felt it imperative that the HRC keep in contact with fellow commissions, particularly in the wake of property-tax "revolts" such as Proposition 13 and the Bakke decision.

*****It was unanimously agreed, on suggestion of Commissioner Fine, that the HRC commend the Director for traveling to Seattle at his own expense for this important convention.

STANDING COMMITTEES

HOUSING AND URBAN DEVELOPMENT COMMITTEE
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Proposed Resolution Supporting Continuance of San Francisco Fair Housing for Children Ordinance. Don Hesse, HRC Housing Representative.

Mr. Hesse gave a brief resume of the history of this ordinance, which was passed by the Board of Supervisors in 1975 with support from a broadly-based San Francisco Fair Housing for Children Coalition (the HRC was a pivotal member through its Housing Representative Edith Witt) and opposition from apartment house owners throughout the City. The measure was passed by an over-ride of then-Mayor Joseph Alioto's veto, and it has provided protection through the District Attorney's Office to persons charging rental or sale discrimination against families with children in most multi-unit housing in the City. The ordinance provided for yearly reviews and set a three-year limit on its life. The three years have expired, and Supervisors Quentin Kopp and Ronald Pelosi (one of the original co-sponsors) are co-sponsors of legislation to continue the Fair Housing for Children Ordinance permanently. It will be heard before the Housing and Urban Development Committee of the Board of Supervisors on Tuesday, July 18, at 2 p.m. in the City Hall.

The District Attorney has recommended an amendment (to be introduced, at Supervisor Pelosi's suggestion, at a later date) that would require higher fines (from the present $250-$500 range to $1,000 to $2,000 to be levied on landlords found guilty of discrimination). Another suggested amendment by the District Attorney would permit persons to bring discrimination charges also through private attorneys. This latter amendment suggestion arises from the very long time it takes for some people to obtain relief (possibly as long as 18 months) through the DA's Office, with fixed statuatory damages as well as attorney fees.

After further discussion, it was

*****m/s/c that the HRC adopt the Resolution Supporting Continuance of San Francisco Fair Housing for Children Ordinance. The Resolution includes the suggested District Attorney amendments. The full text is attached to these Minutes.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- HRC Endorsement of Proposal for Youth Advocates in the San Francisco Public Schools.

Ms. Valerie Blake, who had appeared before the HRC on June 22 for a discussion of her proposal for a pilot program to be carried out in one or two of the public City high and/or junior high schools, was present at this meeting, noting that the June 22 Minutes of the HRC did not record the vote to endorse this proposal.

The tape recording of the June 22 meeting was re-played subsequently and verified thid HRC action of endorsement. The first draft of the June 22 Minutes had showed this endorsement, but in editing before the final Minutes were prepared, it somehow was omitted.

Therefore, the correct June 22 Minutes should show, on page 8, after the first paragraph, this additional paragraph:

After further discussion, it was

*****m/s/c that the HRC endorse the Proposal for Youth Advocates in the San Francisco Public Schools. Commissioner Mezey asked that her No vote be recorded.

- Statement on English Language Instruction and Bilingual-Bicultural Education/Proposed Human Rights Commission Resolution Regarding Bilingual-Bicultural Education in the San Francisco Unified School District.

- Commissioner Solomon stated that the Committee has completed a re-evaluation of the San Francisco Unified School District's Master Plan Bilingual-Bicultural Education program. The results are contained in a formal Statement on English Language Instruction and Bilingual-Bicultural Education and a proposed Resolution Regarding Bilingual-Bicultural Education in the San Francisco Unified School District.

It was then

*****m/s/c that the HRC adopt the Statement on English Language Instruction and Bilingual-Bicultural Education, and the Resolution Regarding Bilingual Bicultural Education in the San Francisco Unified School District. They are attached to these Minutes.

- Recommendations in Opposition to Fiscal Reductions in Youth-Serving Programs.

This subject was originally on the HRC's June 22 agenda. An update was requested by the HRC on the recommendations of the Youth & Education Committee. That update was done by Gail Roberts and is covered in a memorandum of July 11. The five recommendations prepared June 16 pertained to Hidden Valley Ranch closure; release or transfer of its wards; the threat to funding of the School District's recreation program and availability of playgrounds and gymnasiums; the Recreation and Parks Department funding; possible reduction of voluntary foster home placements; and general opposition to significant fiscal reductions in youth programs.

Mr. Rosebrough reported the current status of these concerns:

1. Hidden Valley Ranch was closed effective June 30, 1978. At that time, 44 wards were San Francisco residents. All were returned to the Juvenile Court for disposition of the 44, 10 were placed at Log Cabin Ranch and 34 are in the process of being placed on probation.

2. The San Francisco Board of Education defunded the School District's Recreation Department for the 1978 summer months. Their budget was $120,000 to operate 44 playgrounds and gymnasiums for that period. The Mayor's Summer Youth Program is considering providing some portion of these funds.

3. The Recreation and Parks Department is operating at full strength until September, 1978. At that time, significant reductions are envisioned.

4. Approximately 500 children are in voluntary foster home placement. San Francisco is the only county in California which funds voluntary placements and such placements is totally funded through ad valorem taxes.

Each of the voluntary placements is in the process of being reviewed by the Division Supervisor of Family and Children Services, the Administrative Assistant for that Division Supervisor, and a senior supervisory social worker, all of the Department of Social Services. This staff will determine the best placement decision for each child currently in voluntary foster home placement. No child will be returned to his family if that child will be at risk (physically, psychologically, etc.) or the family is not prepared to take care of him. When a child is to remain in, or to be placed in a private placement institution or a foster home, that child will be referred to the Juvenile Court for Court-ordered placement. No new voluntary placements are now being accepted.

5. The absence of summer school programs and the closure of School Districts playgrounds and gymnasiums has placed an increased burden on existing youth-serving programs.

These items were discussed individually by Commissioner Solomon, with comments from Mr. Rosebrough.

It was revealed that (No. 2) the Board of Education has defunded its entire Recreation Department including closing the gymnasiums and not providing staff for the playgrounds. However, the playgrounds are kept open.

There was long discussion by Commissioner Maxwell on the action appropriate for the HRC in light of the Hidden Valley Ranch closure and subsequent handling of 44 San Francisco wards. She urged that specific recommendations for placement were imperative. Mr. Rosebrough reported to her a number of private placement homes he had surveyed in this regard.

Chairperson Yamakawa then proposed a Resolution on Placement for Hidden Valley Ranch Wards-and it was

*****m/s/c that it be adopted. The full text is attached to these Minutes.

On the recommendation of Commissioner Fine, it was

*****m/s/c/ to amend Chairperson's Yamakawa's Resolution on Placement of Hidden Valley Ranch Wards by adding one of the Youth & Education Committee's June 16 recommendations, "that foster home placements not be reduced except when it is in the best interest of the youth involved."

Also on the recommendation of Commissioner Fine, it was

*****m/s/c that the Resolution also have one more Youth & Education Committee June 16 recommendation: "that it oppose significant fiscal reductions in youth programs."

- Complaint of Patrick Henry Elementary School Teachers regarding Compensatory Education Funds for Field Trips.

This item was continued from the HRC's June 22 agenda. Commissioner Solomon said the report was for information only and called for no HRC action.

A Patrick Henry Elementary School parent who is employed by Potrero Hill Neighborhood House lodged a complaint with Commissioner Maxwell. Commissioner Maxwell referred this complaint to the Youth & Education Committee. Three Patrick Henry teachers appeared at the May 18 meeting of the Committee to present their complaint that non Educationally Disadvantaged (EDY) students were being discriminated against in the use of federal and state EDY funds for field trips. One teacher stated that 23 of the 30 pupils in her class were EDY and she was required to leave 7 pupils out of field trips. Other teachers were reported to have only 2 non EDY students in their classes. Henry Marshall, the Director of Title I/SB 90 Programs for the Educationally Disadvantaged, attended the June 1, meeting as did the three teachers from Patrick Henry.

Mr. Marshall stated that the federal and state regulations were extremely restrictive and that, if EDY funds were used for non EDY pupils, the School District was liable to return the funds. The funds were intended for individual pupils needing assistance in reading and/or math. The funds were given for the pupil and not for the classroom nor the school. The guidelines were developed to prevent supplanting of School District funds because many districts had taken advantage of federal and state funds to reduce property taxes and services to EDY students were not increased.

The Youth & Education Committee took no action on the complaint of the Patrick Henry teachers because of the constraints on funding except to consider HR 15, Educational Amendments of 1978, which would provide funds to an entire school if at least 70% of the pupils were identified as EDY.

Commissioner Maxwell expressed her disapproval of federal regulations that prevent non EDY students from qualifying for field-trip funding.

EMPLOYMENT

Alvin Fine, Chairperson
Carlota del Portillo, Vernon Alley, Co-Chairperson

- Public Information Recommendation

At the Committee level there was discussion of what some members felt was a lack of public understanding and awareness of HRC programs and activities.

It was

*****m/s/c that the HRC approve the Employment Committee's recommendation that an HRC public information packet be prepared with information on various programs the HRC carries out with a view to obtaining media coverage.

CALENDAR MATTERS

The next meeting of the HRC will be Thursday, August 10, 1978 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center. This will be the only meeting in August.

STANDING COMMITTEES

Employment	Thursday, August 3, 1978 9:30 a.m. Grace Cathedral, Cathedral House Library 1051 Taylor Street - San Francisco
Gay Advisory	Tuesday, August 1, 1978 Noon Room 509, HRC Offices 1095 Market St-San Francisco 5th Floor
Housing & Urban Development	Tuesday, August 15, 1978 4:00 p.m. Place to be Announced
Social Programs	To be Announced
Youth & Education	Tuesday, August 3 and 17, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library

NO NEW MATTERS

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/gb

HUMAN RIGHTS COMMISSION

RESOLUTION SUPPORTING PERMANENT CONTINUANCE OF SAN FRANCISCO FAIR HOUSING FOR CHILDREN ORDINANCE

WHEREAS, the Fair Housing for Children Ordinance, passed in 1975, was limited to three years, and is scheduled to expire on August 13, 1978; and

WHEREAS, the Human Rights Commission was principal advocate of this legislation and both staff and commissioners expended many hours in promoting and publicizing it; and

WHEREAS, the law has had a beneficial impact on the San Francisco housing market for families with children and there have been none of the adverse effects which were predicted by its opponents; and

WHEREAS, discrimination against families with children continues in San Francisco and is becoming a serious problem in other Bay Area cities and counties and throughout the State; and

WHEREAS, State legislation in this area has so far been unsuccessful in spite of strong support from Northern and Southern California; and

WHEREAS, the District Attorney's Office has recommended that the law be amended to require higher fines and permit a private cause of action, and the Steering Committee of the Fair Housing for Children Coalition has concurred in these amendment,

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission reaffirms its support of the Fair Housing for Children Ordinance and calls on the Mayor and the Board of Supervisors to pass and sign legislation continuing the Ordinance, and

BE IT FURTHER RESOLVED that the law include the amendments suggested by the District Attorney's Office and supported by the Fair Housing for Children Coalition.

Resolution 9/78 .

Adopted by the HRC July 13, 1978

HUMAN RIGHTS COMMISSION

STATEMENT ON ENGLISH LANGUAGE INSTRUCTION
AND BILINGUAL-BICULTURAL EDUCATION AND HUMAN RIGHTS COMMISSION
RESOLUTION REGARDING BILINGUAL-BICULTURAL EDUCATION IN THE
SAN FRANCISCO UNIFIED SCHOOL DISTRICT

The landmark case of Lau v Nichols is of particular interest and importance to the Human Rights Commission. Over ten years ago this Commission called the attention of the community to the plight of children who sat in their classrooms unable to speak or comprehend the English language. In establishing grounds for its decision, the Supreme Court made reference to two reports of the Human Rights Commission of San Francisco.

The particular circumstances of that case should be kept in mind. Some 1,800 children of Chinese ancestry in San Francisco who did not speak English did not receive any kind of supplemental instruction in the English language. The Court held that the San Francisco Unified School District, in not providing appropriate educational opportunity for these children, was violating Section 601 of the Civil Rights Act of 1964 which bans discrimination on the grounds of race, color or national origin in any program receiving federal financial assistance.

The Court referred to the U.S. Department of Health, Education and Welfare regulations which implemented Section 601 of the Civil Rights Act. A specific reference was made to a federal guideline which stated:

> Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students....
>
> Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational deadend or permanent track.

The Court did not prescribe any particular remedy but it added:

> Basic English skills are at the very core of what these public schools teach...We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful.

In 1976 the state of California further spelled out the rights of children with deficiencies in the English language to special opportunities to master the English language so that they can effectively participate in the educational programs offered in their respective school districts.

It is therefore incumbent on the San Francisco Unified School District to continue to provide language assistance to all children who have special English language needs. The Educational Redesign recently adopted by the San Francisco Board of Education outlines a program of bilingual-bicultural education at all levels of instruction from kindergarten through twelfth grade. The proposed programs offer non-English and limited English-speaking children the instruction they need in order to acquire a full command of the English language. The bilingual-bicultural approach also provides these children with instruction in their native language in the acquisition of basic educational skills. Experience has proven that when competently taught by qualified teachers, bilingual-bicultural programs enhance a child's positive self-identity and foster pride in his own cultural background.

The Human Rights Commission is aware of recommendations from various segments of the community to interpret bilingual-bicultural education as an on-going language/culture maintenance program for children of various racial and ethnic origins. Such an interpretation would provide for the retention of children in special language classes long after they had acquired a fluency in the English language. Since funds for expensive bilingual-bicultural programs are limited, it could well be that non-English and limited English-speaking children would be deprived of a quality education in basic English skills should district priorities be revised to expand the present interpretation of bilingual-bicultural education.

The Human Rights Commission therefore supports a concept of bilingual-bicultural education which provides maximum assistance to children with language deficiencies so that they are equipped to enter regular school programs as soon as possible. Consequent multi-culture curricula experiences should not only reinforce the child's own environment but also expose him to those other cultures in his school environment which reflect the varied cultures flourishing in the city in which he lives. The Commission recognizes the concerns

HUMAN RIGHTS COMMISSION

RESOLUTION REGARDING BILINGUAL-BICULTURAL EDUCATION IN THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT

WHEREAS, the Supreme Court of the United States in the Lau v. Nichols decision requires that the San Francisco Unified School District take affirmative steps to rectify language deficiencies so that its instruction program is opened to all its students; and

WHEREAS, the State of California has further implemented this decision by mandating bilingual education in all school districts throughout the state; and

WHEREAS, the success of bilingual/bicultural programs depends on the effectiveness of the teachers; and

WHEREAS, the Human Rights Commission recognizes that effective teaching of English language skills must be accomplished in a manner which promotes a child's positive self-identity and pride in his own cultural background and which, therefore, will require the use of bilingual techniques and references to his own cultural experience;

NOW, THEREFORE BE IT RESOLVED that the foregoing Statement on English language Instruction and Bilingual-Bicultural education be adopted; and

BE IT FURTHER RESOLVED, that the Human Rights Commission of San Francisco urge the Board of Education to continue to address itself to meeting the needs of non-English and limited English-speaking children so that upon objective tests, teacher recommendation and with parent consultation, students enter the regular school curriculum; and

BE IT FURTHER RESOLVED, that the San Francisco Unified School District should employ only those teachers who are adequately trained and credentialed to teach bilingual-bicultural classes; and

BE IT FURTHER RESOLVED, that nothing herein is intended to recommend the termination of such other programs to remedy English language deficiencies which have proved educationally effective;

AND, BE IT FURTHER RESOLVED that the Human Rights Commission of San Francisco urge the Board of Education to implement its own policy on mandated multi-cultural education for all children in the public schools of San Francisco.

Resolution 10/78

Adopted by the HRC July 13, 1978

of parents and students who wish the school to assume a major role in preserving their cultural heritage. However, it also recognizes the inadequacies of the present educational system to provide such language/cultural maintenance for all children. The Commission supports all cross-cultural programs within the school system, the purpose of which is to promote awareness of differences in cultural backgrounds, the recognition of the values of different cultures and mutual respect and appreciation for these cultural values and variations.

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Attachment 4

HUMAN RIGHTS COMMISSION

RESOLUTION ON PLACEMENT FOR HIDDEN VALLEY RANCH WARDS

WHEREAS, the Human Rights Commission has learned that ten persons formerly placed with Hidden Valley Ranch have now been transferred to the Log Cabin Ranch, which is an institution primarily for persons of older age,

BE IT RESOLVED, that the Human Rights Commission recommend to the Juvenile Court that as soon as possible alternative and more appropriate placements in private institutions be found for these young people, and

BE IT FURTHER RESOLVED that the Human Rights Commission urge that foster home placements not be reduced except when it is in the best interests of the youth involved, and

FINALLY, BE IT FURTHER RESOLVED, that the Human Rights Commission oppose significant fiscal reductions in youth programs.

Resolution 11/78

Adopted by the HRC July 13, 1978

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of ~~July 13~~ August 10, 1978

NEXT MEETING Thursday
September 14, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W.R. Drummer, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, Caryl Mezey, John Morrissey, Donna Solomon.

Excused: Alvin Fine, Sister Bernadette Giles, Dan Silva, Nadim Zarour.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Alberta Grant, Don Hesse, Wayne Redus, Gail Roberts, Emmett Rosebrough, David Teanor, Jeff Wong.

- Ms. Elena Asturias, daughter of Commissioner del Portillo, was introduced.
- League of Women Voters Observer: Lois Winge.

Pledge of Allegiance

Minutes of July 13, 1978

COMMUNICATIONS

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a memorandum, sent to all City department heads, concerning a change regarding official advertising.

- From Robert F. Alioto, Superintendent of Schools, informing that he has reviewed the Proposal for Youth Advocates in the San Francisco Public Schools, endorsed by the HRC at its June 22, 1978, meeting, and that Dr. Del Prado, Associate Superintendent, Office of Instructional Support, will review it further and contact the HRC.

- From John J. Spring, General Manager, Recreation and Park Department, asking that Commissioner Giles renew the appointment of Leonard Fitzpatrick to the Youth & Education Committee.

- From Larry Sparks, thanks to the HRC, and especially, to Ed Vurek of the staff, for assistance with a fee payment from the San Francisco Public Library.

- From Mayor Goerge R. Moscone, a copy of a long and detailed Memorandum sent to all City department heads regarding post-Proposition 13 developments in the State Legislature.

- From Morris Bernstein, requesting Director Mickins' support in defeating Proposition 5 (to outlaw smoking in public places and some places of employment) on the November ballot.

- From Rudolf Nothenberg, Executive Deputy for Program and Fiscal Administration, a Memorandum to all board and commission chairpersons and administrative department heads notifying of the September 15 deadline for submission of Annual Reports.

- From Ray Sullivan, Senior Program Manager, Office of the Mayor, a Memorandum to all City departments, requesting submission of an organization chart reflecting program structure and authorized positions.

- From Bernice Brown, the San Francisco Foundation, thanks to Coordinator of Employment Wayne Redus for his help on an Employment Law Center project.

- From Lloyd Cowan, Student Intern at the HRC, a formal thank you for the opportunity of working with the HRC and its Gay Advisory Committee, with special commendation for the contributions and leadership of Jo Daly to Mr. Cowan's service.

*****Director Mickins commended Mr. Cowan on behalf of the HRC staff for his services to the HRC and its work.

- From Supervisor Quentin L. Kopp, inquiring about the use of the word "compliance" in an HRC communication with Underground-Moseman alleging that the firm was not in compliance with the employment goals required for its project.

- To Supervisor Kopp, in response to his inquiry, a letter stating that the HRC's use of the word "compliance" refers to the extent to which a specific contractor has used his best good faith efforts to reach the goals set forth in his affirmative action program with the City and County."

- From Joseph J. Botka, Chief Probation Officer, Juvenile Court, acknowledging the HRC's Resolution on Placement for Hidden Valley Ranch Wards, adopted by the HRC July 13, 1978. Mr. Botka said that his department recognizes that young offenders should not be placed with older offenders at Log Cabin Ranch and that they are seeking other facilities for these younger youth. Mr. Botka said that frequently private resources do not want to accept young serious offenders ages 13 through 15.

- From Darrell J. Salomon, member of the Civil Service Commission, asking Director Mickins' help in obtaining passage by the Board of Supervisors of a proposed Civil Service Charter amendment "eliminating the City's closed promotive system" on August 14, 1978.

DIRECTOR'S REPORT

- Report on International Association of Official Human Rights Agencies Convention.

Copies of a written summary of highlights of this convention (Director Mickins paid for his own travel and other expenses, since the HRC's travel funding had been eliminated) were provided in advance of this meeting to each Commissioner.

Mr. Mickins said he felt it vital that he and the HRC be aware of current trends and issues common to all human rights agencies, especially in view of the Bakke decision by the U.S. Supreme Court, and of legislation and voter movements potentially affecting the work and the very existence of these agencies. More than 500 representatives of key federal, state, and local anti-discrimination agencies were in Seattle. In addition to addresses from Drew Day, Assistant Attorney General, U.S. Justice Department; Jeffrey Miller, Chairperson of the President's Office of Management and Budgets Task Force on Civil Rights Reorganization; and Benjamin Hooks, President of the National Association for the Advancement of Colored People, the convention heard a keynote address by Ms. Eleanor Holmes Norton, former chief of the New York City HRC and currently Chairperson of the federal Equal Employment Opportunity Commission.

Ms. Norton assessed the impact of the Bakke decision, or "challenge" to affirmative action, urged civil rights enforcers to prepare themselves for the "reverse discrimination" challenges that are increasing, counseled emphasis on "voluntary compliance" with civil rights enforcement, and noted that the major threat to affirmative action is in the form of annually-introduced legislative bills and amendments to deny use of numerical guidelines for compliance. Ms. Norton noted that the U.S. Supreme Court had, following its Bakke decision, upheld the use of percentage guidelines for affirmative action in the major cases.

- Status of Bay Area and Other HRCs post-Proposition 13

Jack Casford did a telephone survey of ten HRCs in late July.

1. The Alameda County (Oakland) Human Relations Commission staff was eliminated and twenty people lost their jobs. The HRC was retained, but its function assigned to a member of the County Board of Supervisors.

2. The Marin County Human Relations Commission staff was eliminated, and its function consolidated into an umbrella Citizens' Service Office. Three permanent and five CETA staff lost their jobs.

3. The Richmond Human Relations Commission lost one of three permanent staff. The budget of the HRC was cut 70%.

4. The San Mateo County Human Relations Commission lost two staff, including the Director, and functions were consolidated under the Human Relations Division.

5. The Albany Human Relations was disbanded.

6. The Vallejo Human Relations Commission four-person staff was retained; the budget was cut 50%.

7. The Los Angeles County Human Relations Commission, with a staff of approximately 40, would not know its status until late August, but one original proposal was for a 70% cut in its budget.

8. The San Diego County Human Relations Commission was disbanded, and all staff would be out of work (15 persons) by August 31, 1978.

9. The Sacramento Human Relations Commission, operating under a joint powers agreement, received a 40% budget cut, but no salary cuts or staff layoffs would take place. This was the only HRC surveyed that survived this well.

10. The Santa Clara Human Relations Commission's budget was cut 10%, and its three permanent and fifteen CETA staff remain, but there was a move to consolidate the HRC with two other county agencies.

- Commissioner del Portillo asked for an up-date from the Director in the near future on the impact on women by Proposition 13 cutbacks.

- Commissioner del Portillo also noted that in Michigan there loomed the possibility of a restoration of the voucher system in education. The voucher system would give each parent of a schoolage child education credit for in the case of Michigan, $500. Parents could assign their education credits to any school, including private and religious schools, to pay tuition.

The Youth & Education Committee has discussed the voucher system issue in the past, as has the HRC, but it has never taken a formal position.

STANDING COMMITTEES

EMPLOYMENT COMMITTEE

Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson
Vernon Alley, Co-Chairperson

- Alioto Fish Company v. HRC: Discussion of Case on Appeal.

Discussion on this legal challenge to the HRC's affirmative action reporting authority by this and several other Fisherman's Wharf restaurants was postponed until the formal appeal has been filed. After this takes place, Judith Teichman, the HRC's attorney on the case from the City Attorney's Office, will appear before the HRC.

- Proposed Charter Amendment Requiring That Temporary Employees Be Placed on a List of Eligibles After a Specified Period of Temporary Service.

Discussion was cancelled at the request of Local 400 Civil Service Employees' Union and the Service Employees' International Union Joint Council which have dropped the proposed amendment.

- Insurance Industry Affirmative Action Progress Report - Alberta Grant, Contract Compliance Officer.

The HRC's official involvement in equal employment opportunities for minorities and women in the insurance industry had its beginnings in early 1972, when it was found that the industry had been relatively untouched by contract compliance. Many companies had discriminatory employment patterns which had become firmly entrenched. Recruitment efforts mainly sought college business programs as referral sources, and there were no affirmative action programs with goals and timetables. In some cases, only equal employment policies were in existence. At that time (1972), women represented over 50% of the total insurance workforce, but less than 8% held jobs above the clerical level. Minority males had low participation at all levels within the industry. Due to complaints and litigation against the industry; efforts to break down the resistance of many companies to adopt affirmative action programs reflective of all employees began. At that time, the HRC set the basic Affirmative Action provisions that were to be required for insurance contractors. These provisions in part were to:

1. Expand recruitment programs to hire minority males and to bring minority men and women into entry level positions.

2. Review job classifications to expand the range of entry level positions using OJT (on-the-job training).

3. Expand referral sources to include minority agencies.

4. Explore a wider range of job possibilities with minorities and women.

5. Monitor the selection process to determine any weaknesses.

6. Institute career counseling programs informing minorities and women of training and promotional opportunities with monitoring of these programs and identification of promotable minorities and women.

7. Provide encouragement and incentives to take outside training.

8. Establish goals and timetables for achieving equal opportunity in all job classifications in firms with four or more employees.

9. To keep records on all activities.

These requirements were to be incorporated into Affirmative Action programs with effective mechanisms for changing employment patterns within the industry.

The following companies and brokers currently are being monitored by the HRC for their Affirmative Action programs.

Richard Goldman Co.
Marsh & McLennan, Inc.
Bayly Martin and Fay Inc.
Fred S. James & Co.
Johnson & Higgins
Fireman's Fund Insurance Co.

Several previously reported companies, Gulf, Eldorado, Continental, and Mission Equities, are no longer City contractors and were not reported on. Despite a decline in the number of insurance companies and brokers holding City contracts, the industry continues to rank #1 as an employment vehicle in San Francisco, with the above companies underwriting policies for 1978-79 totaling approximately $250,000, insuring such City institutions as the Port Commission and the Log Cabin Ranch.

Because of soaring premium rates, insurance coverage has been cut back by the companies. As one newspaper article cited, "Government apparently is not a profitable portion of the insurance business and many companies don't want to fool with it". Estimates for the City's basic fire and liability insurance predicted that these rates would rise to $1.5 million during 1977-78. In January 1978, all City vehicles being driven by officers and employees were without coverage, with few minor exceptions.

In 1977, it was reported that total participation of women in the companies being monitored in positions above clerical was 361, or 22.8% of the total workforce. Minority representation in the above clerical positions was 118 or 8.9% of the total workforce.

Quarterly reports indicate that slow but steady progress is being obtained with some companies. Statistics and on-site inspections are the most reliable indicator of employment patterns; companies also keep records on recruitment, testing, selection, and promotion procedures. Several companies have instituted clear procedures to further increase their efforts to encourage minorities and women by the use of community-based organizations. However, the use of the community as a recruitment source has been slow, with 99% of all people hired coming from private agencies, some designed to recruit specifically women, and 1% from community-based organizations. At least one company encourages "Head Hunting" as a method of procuring more qualified employees, offering a $100 bonus to employees whose candidates are selected for jobs with the company.

Most companies offer voluntary training, with books and equipment usually being paid for by the company. Training is available to all employees, with some courses requiring previous insurance experience in a specific area. Some, such as the one instituted in the first quarter of 1978 by Fireman's Fund, are clearly designed with women in mind. Other companies, such as Bayly, Martin & Fay, prepare courses within the company to build up the basic skills of typing, spelling, and grammar. Programs of this type are considered entry-level training or on-the-job training (O.J.T.). Again, all of the companies offer training.

VOLUNTRAY
PARTICIPATION IN INSURANCE
TRAINING PROGRAMS

BLACK		SPANISH ORIGIN		ASIAN		AMER. INDIAN		WHITE	
M	F	M	F	M	F	M	F	M	F
10	15	7	12	12	4	0	0	20	105

TOTAL MINORITY 60
TOTAL WHITE 125

ANALYSIS AND CONCLUSION

Minority men and women represent 710, or 19% of a 3,699 total workforce.

American-Indian men and women continue to have the lowest participation of the minority groups identified, with 6, or .02% of the workforce of 3,699.

Spanish origin men and women represent the second lowest participation with 144, or 4% of the total workforce of 3,699.

Black men and women represent the second highest, with 223, or 6% of the workforce of 3,699.

Asian (Chinese-Japanese) men and women have the highest representation of minority groups identified, with 337, or 9% of the workforce of 3,699.

Filipinos not distinguishable in the workforce because of the resistance by employers to identify them or Other Non-White separately.

MINORITY MEN

Minority men continue to be under-represented in the industry, with 213, or 6% of the workforce of 3,699.

Representation of minority men (above clerical) 109, or 5% of a total clerical workforce of 2,033.

Representation of minority men (clerical) 60, or 4% of a total clerical workforce of 1,590.

Representation of minority men (service workers) 44, or 59% of 75.

Minority women represent 497, or 13% of a workforce of 3,699.

Representation of minority women (above clerical) 90, or 4.4% of 2,033.

Representation of minority women (clerical) 402, or 25% of 1,590.

Representation of minority women (service workers) 5, or 7% of 75.

Minority representation in the sales area is the lowest of all categories with 5, or 5% of 97. The clerical area is the highest, with 462, or 29% of 1,590.

Minority women are represented in the above-clerical levels at 90, or 4% with clerical representation the strongest area, 403, or 25% of the total workforce. Again, as with minority males, American Indian women's total representation industry-wide is extremely low, with 4, or 0.1% of the total workforce. Again, there are no statistical breakdowns available for Filipino women.

WOMEN

Women represent a large proportion of the insurance industry, and their numbers are becoming more noticeable in all job classifications.

In classifications above clerical, women represent 528, or 26% or 2,033, with the highest percentages in that category being the professional level with 387, or 40% of 970.

In the clerical positions, women hold 1,430 or 90% of a 1,590 total, clearly the highest percentage in the industry job classifications.

Representation by women in below-clerical positions, specifically service workers, is 5, or 7% of 75 positions.

This progress report is not a final statement on these insurance and broker employers. As the statistics show, Ms. Grant said, there has been progress within the industry for minorities and women, but there is still need for further and future attention to the modification of goals and timetables on promotional and training opportunities.

The upgrading of women in the technical and professional levels since 1972 has shown remarkable progress, but further work by the HRC will have to be done in the area of sales and managerial positions. It was said not too long ago that women lacked the qualifications and seriousness needed for managerial positions within the industry. 1978 statistics nationwide clearly indicate this is not the case.

Increased efforts on behalf of minorities must be continued in all areas and in particular minority male representation in all classifications across the board.

Greater emphasis will be placed on the promotion and upgrading of all minorities and, in particular with minority women, increased efforts out of the clerical area and minority males more visability in all areas of the industry. Future emphasis will be concentrated on the inclusion rather than the exclusion of disabled persons. Two of the companies included in this report are taking beginning steps in this area, although no statistics currently are available.

Ms. Grant will be reporting to the HRC in six months with a breakdown by company of progress in these areas.

Ms. Grant's written report included statistical tables showing breakdowns for insurance companies' and brokers' workforces by employee status/job categories, male and female, and minority classes (Black, Spanish-Origin, Chinese, Japanese, Filipino, American Indian, and Other Non-White). In 1977, minorities totaled 27.1% of the workforces; 8.9% of the minorities held above-clerical position; and 22.8 of these positions were held by women. These figures have, respectively, changed in 1978 (at the time of this report) to: 19% total minorities; 9.7% total minorities above clerical status, and 26% women above clerical status.

Women were represented in the insurance workforce as follows: Officials and Managers: 9%; Professionals: 40%; Technicians: 18.8%; Sales Workers: 29%; Clerical: 90% Skilled Workers: 0%; and Service Worker: 19%.

Ethnic breakdowns for males and for females separately and by job classification also are shown on statistical tables.

Ms. Grant also discussed in some detail (covered more fully in her written report) a California Fair Employment Practices Commission investigation of the California insurance industry, initiated in November of 1976 after a request from Women Organized for Employment (WOE). This investigation has not yet been completed because all data has not yet been analysed. No expected completion date has been announced. As a result of the investigation, however, WOE and FEPC are being sued by 54 of the 300 insurance companies in California. Civil suits also were filed early in 1978 by eleven major insurance firms charging the Equal Employment Opportunity Commission and the FEPC with collusion with WOE " in conducting a prejudicial investigation into employment practices of the insurance industry." None of the suing eleven companies is doing business with San Francisco.

Ms. Grant's report also contains a discussion/synopsis of the HRC's Policy Governing Public Disclosure of Affirmative Action Information and its effects on company Affirmative Action programs. The policy was adopted by the HRC on May 27, 1976, and came about as the result of a lawsuit filed by WOE in March, 1975, to obtain a copy of the Affirmative Action program negotiated by the HRC with the Fireman's Fund Insurance Company. During negotiations, the company had requested confidentiality for the program, and this was granted by the HRC as one of the terms of the program.

A Superior Court decision on the WOE lawsuit against the HRC for release of the material was issued by Judge William E. Mullins in November of 1975 and held that the Affirmative Action program was a public record and must be available for public inspection.

Ms. Grant reported that in the past six months the HRC has been asked by a number of companies for more detailed explanations of the Public Disclosure Policy in terms of confidentiality, identifying those parts of Affirmative Action programs which are considered "finalized documents."

The Fireman's Fund Insurance Company, said . Grant, has "gone to great lengths in an effort to stave off the HRC's request that goals and timetables remain an integral part of any and all Affirmative Action programs." The company position is that this would open it to "prima facie" lawsuits, and should not be made a part of the finalized document. The HRC, she said, has rejected this position on the ground that "good faith efforts" do not have enough substantive information as needed to ascertain compliance by the company. A letter detailing the conditions that the HRC would require be incorporated with the Fireman's Fund Affirmative Action program, including goals and timetables, has been sent. A due date of June 2, 1978, was set for the submission of the Fireman's Fund's 1978 goals and timetables, but the company instead wrote requesting to see "all finalized documents" from all City contractors being monitored by the HRC staff. The company was informed, Ms. Grant said, that under the Public Disclosure policy the documents would be made available at the direction of the HRC Director. Fireman's Fund representatives reviewed finalized documents on August 8, 1978.

Ms. Grant said that it is evident, not just with Fireman's Fund but with other companies, that the HRC policy raises industry questions on its authority and obligation to obtain Affirmative Action programs and compliance consistent with Chapter 12B of the Administrative Code. Ms. Grant will report further to the HRC on the status of compliance and talks with Fireman's Fund and other companies.

- There followed an extensive discussion, initiated by Commissioner Morrissey, on the implementation of the HRC's Policy Governing Public Disclosure of Affirmative Action Information. Wayne Redus, Coordinator of Employment, reviewed its origins as had been covered in Ms. Grant's written report. He described federal affirmative action compliance requirements in addition to the HRC's policies. He went into some detail on the factors in addition to minority population proportions that are used in determining goals and timetables for employers. These include the availability of given minorities in any job category. He noted that industry resistance in the past, in given job categories, to setting goals on the basis that there were no minorities, had been reduced by their experience in finding that there were indeed qualified minority candidates when minority recruitment agencies were contacted, for example. The text of that portion the HRC's Principles of Affirmative Action document relating to the setting of goals and timetables was read in full by Mr. Redus.

- Request HRC Support of Proposed Resolution Drafted by Advocates for Women to the Board of Supervisors Relative to Inclusion of Affirmative Action Programs within the Comprehensive Employment and Training Act.

Wayne Redus introduced Ms. Jennabeth Story, Chair, and Mary Davey, President and Chief Executive Officer, of Advocates for Women, an agency with which the HRC has worked and supported cooperatively since its founding in 1972.

Ms. Story and Ms. Davey responded to questions from the HRC members on the service constituency of their Women In Management Program (economically disadvantaged: single--$3,000 annual income; family of four--$7,400 annually) which is primarily those who have 70% of these levels. This precludes serving the working poor, other disadvantaged (culturally, etc.), or even unemployed recent college graduates with no or little income.

Supervisor Carol Ruth Silver will introduce before the Board of Supervisors a proposed resolution that calls on it to formally recommend, basically, "that the Congress permit the continuation of affirmative action programs with the Comprehensive Employment and Training Act (currently under discussion for re-funding in the Congress) by allowing local determination for up to five percent (5%) of clients served to be resident unemployed and above the economically-disadvantaged income categories..."

After discusssion, it was

*****m/s/c that the HRC formally support the proposed Resolution Relative to Inclusion of Affirmative Action Programs Within the Comprehensive Employment & Training Act.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Proposed Resolution Urging Apportionment of City and County Funds to the San Francisco Board of Education.

This proposed Resolution would urge that the Board of Supervisors apportion funds to the Board of Education (see later amendment) and lists specific programs which the HRC has supported or endorsed in the past, including elementary school counseling, handicapped services, mentally-gifted programs, multicultural education, and non and limited-English speaking student education.

Commissioner Morrissey expressed concern over the desirability of the HRC's taking positions advising another body (the Board of Supervisors) how to allocate funds. It was pointed out that all the specified programs were included in the proposed School District budget before Proposition 13 was passed, and that this HRC action was simply urging that the Board of Supervisors provide the money to make up the deficits in the Board of Education budget that caused the programs to be cut.

Commissioner Mezey asked Peter Mezey, Vice President of the Board of Education present in the audience, to comment on whether the Board of Education had been concerned about loss of control over certain programs should funding for them have to come from the Supervisors' action Mr. Mezey said that he, as an individual, on such a program as child care (the single-largest program for which funds were being sought) would oppose transfer to City authority, since the School District sees child care as an educational program, and the City as primarily a welfare program, which it would administer under the Department of Social Services. However, he said, the Recreation and Park Department might well be able to administer the after-school athletic program.

After further discussion, and after the addition of one phrase "as requested by the Board" in the first Resolution paragraph of the document, it was

*****m/s/c that the HRC adopt the Resolution Urging Apportionment of City and County Funds to the San Francisco Board of Education. The full text is attached to these Minutes.

- Proposed Resolution Supporting Funding of Infant Development Centers by the Social Services Commission. The full text is attached to these Minutes.

This proposed Resolution would urge that the Social Service Commission fund the infant development centers of Family Development Services and Florence Crittenton Home, with funds for the center channeled through the Board of Education.

Commissioner Solomon said that there was a proposal by Supervisor Carol Ruth Silver to turn the child care programs over to the City, and as a result representatives of Florence Crittenton Home, Family Development Services, and children centers came to the Youth & Education Committee in protest. It was the issue of seeing this program as an educational one rather than a welfare one (referred to earlier in this meeting by Peter Mezey) that led to their protests.

Ms. Mary Ann Sams, Supervisor of the San Francisco Unified School District's Children's Center Department, from the audience pointed out to the HRC that there is presently a strong education component in the infant development centers, whereby school-age, student mothers are encouraged and aided in continuing their education while they receive training in "parenting." Ms. Sams expressed the hope that her staff might make a presentation on this program in the future.

It was

*****m/s/c that the HRC adopt the Resolution Supporting Funding of Infant Development Centers by the Social Services Commission.

- Commissioner Morrissey reminded fellow Commissioners that he felt uneasy if there were positions taken by the HRC without hearing opposition, if there is any, to any given issue.

- Mr. Mezey thanked the HRC for its supportive actions to the Board of Education.

- Proposed Commendation for Bank of America's contribution to the Mayor's Youth Bowl Fund.

At the request of the Youth and Education Committee, it was

*****m/s/c that the HRC commend the Bank of America's gesture on behalf of San Francisco youth in the form of a $68,000 contribution to the Mayor's Youth Bowl Fund. A portion of these funds will be used to keep open school gymnasiums and playgrounds for the month of August. These funds will enable facilities to be kept open, will hire recently laid-off School District Recreation Department staff, and will purchase limited equipment.

NEW MATTERS

- It was announced that the Community Services Committee of the Board of Supervisors would be hearing Supervisor Carol Ruth Silver's proposals on child care and on the Affirmative Action Program for the Civil Service Commission at 6 p.m. the evening of this meeting.

- Director Mickins and Affirmative Action Officer Stanley Lim at noon will attend the ground-breaking ceremonies at the Yerba Buena Center site. The HRC is designated the affirmative action monitoring agency for this long-delayed, downtown development project.

CALENDAR MATTERS

The next meeting of the HRC will be Thursday, September 14, 1978, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center. In September the HRC returns to its twice-monthly meetings. The second September meeting will be September 28.

STANDING COMMITTEES

Employment	Thursday, September 7, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street - San Francisco
12B Revision Committee	Wednesday, August 23, 1978 4:00 P.M. HRC Offices, Room 509 1095 Market St.- San Francisco 5th Floor
Gay Advisory	To Be Announced
Housing & Urban Development	To Be Announced
Social Programs	To Be Announced
Police Liaison Committee	To Be Announced
Youth & Education	Thursday, August 17, 1978 3:30 P.M. Thursday, September 7, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street - San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/gb

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of September 14, 1978

NEXT MEETING Thursday
September 28, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

SEP 27 1978

DOCUMENTS DEPT
S.F. PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Vernon Alley, Rev. W.R. Drummer, Sister Bernadette Giles, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Enola Maxwell, John Morrissey.

Excused: Carlota del Portillo, Rabbi Alvin Fine, Caryl Mezey, Dan Silva, Donna Solomon, Nadim Zarour.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Luis Escobar, Alberta Grant, Stanley Lim, Joe Meza, David Prowler, Gail Roberts, Emmett Rosebrough, Essie Thomas, David Treanor.

Pledge of Allegiance

Minutes of August 10, 1978 approved.

COMMUNICATIONS

- From Supervisor Quentin L. Kopp, an inquiry (referred to in the HRC Minutes of August 10, 1978 Communications section, but read in full at this meeting at request) about the use of the word "compliance" in an HRC letter to Underground-Moseman alleging that the firm was not in compliance with the employment goals required for the project. Director Mickins said that he had responded to Supervisor Kopp, saying that the HRC has not at any time enforced quotas, and that its historical policy has been the enforcement of goals based on good faith efforts, as determined by a number of criteria if the employer has indeed demonstrated good faith efforts.

- From James G. Landy, Director, Alcoholism Services, Garden Hospital Jerd Sullivan Rehabilitation Center, a copy of a widely-circulated notice concerning the merger of Garden Sullivan Hospital with Pacific Medical Center and the assurance of continuation of alcoholism services.

- From Raymond R. Sullivan, Senior Program Manager, Office of the Mayor, a copy of a Memorandum to All Department Heads regarding "Efficiencies in the Sheriff's Budget", encouraging all Department Heads to re-evaluate their programs in a manner to determine whether they are "truly necessary or in what manner they can be offered to the public at a lower cost."

- From Darrell J. Salomon, Commissioner, Civil Service Commission, asking Director Mickins' support for passage (to be voted on August 14 by the Board of Supervisors) of a proposed Civil Service Charter Amendment "eliminating the City's closed promotive system." This would allow Civil Service to openly recruit for promotive positions outside of Civil Service.

- From Ed Sajor, Chairman, Government Relations Committee, United Way of the Bay Area, a copy of a widely-circulated Memorandum on " Events Since Enactment of Proposition 13," dealing with funding for social services and some specific programs, e.g., state cancellation of 500 sites serving 150,000 children in the Summer Food Program for Children.

- From Marty Cottrell, Chairperson, California Association of Human Rights Organizations, inviting the HRC to participate in a workshop on the "Future of Human Rights in California" scheduled for September 16 at California State University, Hayward, and September 23 at California State University, Dominguez Hills.

- From Supervisor Carol Ruth Silver, thanks to Chairperson Yamakawa for forwarding the HRC Resolution (13-78) Supporting Funding of Infant Development Centers by the Social Services Commission, adopted August 10, 1978.

- From Supervisor Dianne Feinstein, President, Board of Supervisors, acknowledging the HRC's Resolution (12-78) Urging Apportionment of City and County Funds to the San Francisco Board of Education, adopted August 10, 1978, and informing it would be considered at an August 30 joint Finance/ Urban and Consumer Affairs Committee meeting.

- From Grandvel Jackson, UN Day Chairman, United Nations Association of San Francisco, asking the HRC's participation in planning celebration of United Nations Day on October 24, 1978 by events all over the City concluding with a formal celebration at Lowell High School from 6 to 10 p.m.

- From M. Dan Morgan, Regional Vice President, United Indian Development Association, enclosing a copy of a letter to Morris Bernstein, President of the San Framcisco Airport Commission protesting "the Commission's exclusion of small, minority-owned firms from consideration for design work on the proposed new fire house at the Airport," and requesting and investigation. The matter was at the Airport Commission meeting of August 22 with the HRC. Corrective measures are being considered.

- From Stanley M. Smith, Secretary-Treasurer, San Francisco Building and Construction Trades Council, a copy of a letter to Rufus Garrett, Director, Affirmative Action Program, Bayview-Hunters Point Model Neighborhood Agency, regarding the Memorandum of Agreement between the Associated General Contractors, the San Francisco Building and Construction Trades Council, such individual unions listed, and the Model City Agency. Mr. Smith stated the desire of the Council and the individual unions to "re-negotiate and/or terminate the Memorandum of Agreement (signed in 1970 with the assistance of the HRC, calling for specific affirmative action employment policies for City construction projects in the Bayview-Hunters Point area).

Director Mickins read this letter in full at Commissioners' request, and said that meetings already are under way between all parties dealing with this issue. The HRC, he said, is in the Agreement as a consultant to the signatories, and it (via Stanley Lim) sits on the Administrative Committee, but without a vote.

- From Victor A. Johnson, Office Manager-Membership Services, Department Store Employees Union, Local 1100, commending Emmett Rosebrough's "outstanding" work in mediating a misunderstanding between Local 1100 and one of its members. Mr. Johnson wrote, "...we were pleased with the results which were obtained through the assistance of the Human Rights Commission and Mr. Rosebrough in particular."

- From Carmen A. Estrada and Felix Velarde-Munoz, a copy of a general Memorandum addressed to the Chicana Rights Network regarding Assembly Bill 2858, introduced by Assemblyman Art Agnos, to make it unlawful to discriminate against any worker for refusing to grant sexual favors.

- From Deborah A. Curl, Manager, Equal Opportunity Programs, Fireman's Fund Insurance Companies, regarding HRC and Fireman's Fund record of contact in requesting and providing workforce data in compliance with affirmative action goals and timetables.

- From Robert Ecoff, Foreman, 1978-79 Civil Grand Jury, a copy of a Memorandum to all City Departments, Offices, Boards and Commissions, listing members of the 1978-79 San Francisco County Civil Grand Jury with their committee assignments.

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- From Gilbert H. Boreman, Clerk of the Board, a Memorandum to All Department Heads concerning Revision of Legislative Procedure (deadline for filing with the Clerk a proposed ordinance or resolution or emergency measure).

- From Lawrence Lucks, Executive Director, Jewish Vocational & Career Counseling Service, resigning from the HRC Employment Committee.

DIRECTOR'S REPORT

- Status of HRC's Wastewater Management Affirmative Action Program-Supplemental Appropriation Request.

The HRC has received the August 18 Analysis of Supplemental Appropriation from the Office of the Mayor. The HRC had requested $118,943 to fund three staff positions and a Clerk Stenographer for the purpose of ensuring that all contracts negotiated or awarded by the Wastewater Project are in compliance with Section 12B of the Administrative Code. The idea of increasing the staff of the HRC using Wastewater Management funds was originally proposed by HRC and recommended by the Affirmative Action Oversight Committee established by the Chief Administrative Officer and later endorsed by Resolution No. 851-77 of the Board of Supervisors.

Director Mickins announced that the Office of the Mayor has cut the $118,943 to $73,969, to provide two (rather than three) professional staff, one Clerk Stenographer, and a substantial reduction in requested support services. He read excerpts from the Staff Analysis, giving reasons for their cuts in the Supplemental Appropriation. The evaluation stated that "the responsibilities of the HRC will be significantly enlarged with the initiation of the construction phase of the Wastewater Management Project." It was held by the Staff Analysis that "most of the contractors... have their own in-house affirmative action staffs...? and Mr. Mickins commented that the HRC maintains that companies cannot monitor themselves.

The Analysis of Supplemental Appropriation document, with the funding of $73,969 approved by the Office of the Mayor, now must be reviewed by the Civil Service Commission and the City Controller's Office for approval of the recommended three new HRC positions. It then must go before the Board of Supervisors for its action.

ADMINISTRATIVE COMMITTEE
Caryl Mezey, Chairperson

- Report on HRC Staff and Committee Changes - Commissioner Giles.

Wayne Redus, Coordinator of Employment, resigned from the staff September 5, 1978. This leaves a permanent staff of eleven: the Director, 1 Coordinator, 5 Representatives, 1 Management Assistant, 1 Senior Clerk Typist, and 2 Clerk Typists.

The following staff changes in responsibility and assignment were announced:

- Frank Anderson will assume responsibilities (formerly held by Mr. Redus) as staff for the Employment Committee.

- Gail Roberts will serve as overall Coordinator with specific responsibility for managment information, reporting and control systems for the HRC. This will include evaluating work schedules and monthly staff activity reports.

- Essie Thomas will assume staffing responsibilities (formerly held by Gail Roberts) for the Youth & Education Committee.

The Administrative Committee's recommended Resolution Recommending the Consolidation of the Police Liaison Committee and Social Programs Committee into the Police Liaison and Social Issues Committee was discussed at this point, and it was

•••••m/s/c that it be adopted. See the Resolution (14-78) attached to these minutes.

- Jack Casford, formerly staff for the Social Programs Committee, will assume responsibilities for staffing the new Police Liaison and Social Issues Committee. Mr. Meza had staffed the former Police Liaison Committee. Commissioner Morrissey will be Chairperson of the new Committee. He had been Chairperson of the Police Liaison Committee. Commissioner Herring, Chairperson of the Social Programs Committee was appointed by Chairperson Yamakawa to serve as Co-Chairperson of the consolidated Police Liaison and Social Issues Committee. It was pointed out that the issues handled by Social Programs in the past had often been similar to those handled by Police Liaison.

It was noted that future ramifications of Proposition 13 for funding in 1979-80 are uncertain, but "less promising for many essential services than suffered this year." Director Mickins said that since the Congress has proposed that Comprehensive Employment Training Act employees (CETA) be restricted to 18 months in the CETA program, virtually the entire staff of CETA professionals and clerical support would be subject to termination October 1, 1979. Two-thirds of the HRC staff is made up of CETA employees, with terms ranging between two and six years. Further Congressional proposals would lower the annual salary maximum for a CETA worker from $10,000 to possibly $7,000-$7,800.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon-Co-Chairperson

- Recommended Changes in Proposed Board of Education Policy on Student Discipline; Letter to Benjamin Tom, President, Board of Education.

LeRoy Cannon, Legal Adviser to the San Francisco Unified School District and the Board of Education, met August 31 with the Youth & Education Committee in a discussion of the proposed Board of Education Policy on Student Discipline. As a result of this discussion, the Committee explained its position in a letter to Benjamin Tom, President of the Board of Education, on September 11.

The San Francisco Board of Education currently is bringing its Policy on Student Discipline into conformity with the state education code.

The Committee wrote Mr. Tom that its primary concern was in the "dearth of alternatives to suspensions with the severe reduction in support services particularly in Pupil Services and in school site administration at the elementary level." Commissioner Giles said the Committee has learned that as a result of Proposition 13 cutbacks, many support services at school sites have been eliminated, such as counselors at elementary schools. She discussed specific sections of the proposed Policy on Student Discipline, citing Committee concerns about each of them. They include: specifying the responsibility of the school principal to contact parents of any student removed from school or questioned by the Police; a more precise definition of "filthy and vicious habits" for which a school child may be excluded from school; and involvement of the Student Attendance Review Board in disciplinary matters.

The Committee recommended specifically that Counseling/Educational Centers, noted in the District 6 Educational Redesign plan, be established and referred to in the Policy on Student Discipline. The Committee recommended that these Centers be staffed by currently unassigned teachers and located in available space.

Gail Roberts of the HRC staff read this letter to Mr. Tom in full at the Board of Education meeting September 12. Valerie Blake, a member of the Committee, also spoke on the specific issue of lack of consistent School District policy regarding use of tobacco by students.

The Committee was gratified that on a number of its concerns the Board was responsive.

- Discussion with Ms. Jule Johnson, Recently-Appointed Member of the Board of Education.

Ms. Johnson is a former member of the Youth & Education Committee. Her invitation to meet with it is traditional for all newly-appointed or elected Board members. She shared her feelings and positions on various education issues, a number of them shared by the HRC, e.g., continued commitment to the principle of integrated schools; planning and implementation of a School District budget; and making certain that procedures in suspensions are followed according to both the spirit and the letter of the law.

- Implication of Proposition 13 on the San Francisco Public Schools.

Commissioner Giles said the Committee is eager to learn what specific cuts have been made in programs of the School District as a result of the passage of Proposition 13 and the loss of substantial funding. It wishes to learn what the present programs in such areas as music, art, and the gifted are in comparison with the numbers of such programs offered in 1977.

- Commissioner Morrissey inquired about a comparison of the numbers of suspensions of students under the new policies in this field with the numbers before it was instituted. Commissioner Giles replied that there had been a reduction in the numbers of suspensions following adoption of new policies influenced in part by the regular reports on suspensions made by the HRC over the past several years.

- Commissioner Giles also responded to Commissioner Yamakawa's inquiry about the proposed shift of funding to the City of child care services, saying that the efforts remained to try to convey to the Board of Supervisors that child care be considered as an educational service, not purely a custodial one. At present, the Board of Supervisors is awaiting children's services' budgetary information being prepared by the School District's Business Manager.

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo Co-Chairperson

- Status Report on City Affirmative Action Ordinance-Frank Anderson.

Mr. Anderson was introduced by Commissioner Alley, Acting Chairperson of the Committee. Commissioner Alley paid tribute to the past service of Wayne Redus as staff to the Committee and welcomed Mr. Anderson's taking over these responsibilities.

Supervisor Carol Ruth Silver had introduced an ordinance amending Chapter 16 of the City Administrative Code that would mandate City officers, boards and departments to implement affirmative action plans. This was the culmination of many years of work by the HRC staff as an initiator of the idea of an overall City Civil Service Affirmative Action Plan. A second part of the

legislative package introduced by Supervisor Silver would have amended the City's Administrative Code, Section 12A, to mandate the HRC to provide technical assistance to City officers, board and departments in implementing affirmative action plans. The third part requested that the Civil Service Commission include in the performance evaluation of management and supervisory personnel their efforts in implementing departmental affirmative action plans.

Director Mickins has written (September 6) to John Walsh, General Manager of the Civil Service Commission, a detailed letter to clarify the HRC involvement and re-affirm its commitment to the principle of an affirmative action plan for City agencies through close cooperation between it and the Civil Service Commission.

Mr. Anderson described the chronology of activity by HRC staff and Commissioners regarding the proposed Silver legislation. This included appearances at the meeting of the Board of Supervisors' Community Services Committee where a "do pass" was given the proposed legislation. At that meeting (August 10th) also, the City Attorney was asked to combine the ordinances amending Chapters 16 and 12A of the Administrative Code.

On August 24, the Director, the Chairperson, and Mr. Anderson attended a Civil Service Commission meeting where the Civil Service Commission voted to oppose the proposed legislation on affirmative action plans, on the grounds that part of the legislation infringed upon the Civil Service Commission's authority in the certification of City agencies and departments compliance with affirmative action plans.

The HRC delegation later met with the Deputy City Attorney, who expressed his concern that the proposed legislation was unclear in certain areas, such as the meaning of "disability", etc. The HRC has a copy of his opinion and will respond to each of his concerns.

Subsequently, however, the Board of Supervisors passed unanimously a resolution requesting the Civil Service Commission to require the evaluation of City and County management and supervisory personnel relative to their performance in implementing the departmental affirmative action plan. This was the third part of the Silver ordinance. The basic legislation mandating City officers, boards and departments to implement affirmative action plans was re-referred to the Board's Community Services Committee.

Mr. Anderson quoted the Director's September 6 letter which stated "that the HRC feels that the City is long overdue in developing an affirmative action program, and that without such a program it is subject to more litigation, to administrative complaints of noncompliance, and to individual allegations of discrimination by applicants and employees of the City."

The Civil Service Commission has asked for a meeting with the HRC to work out the concerns voiced by the City Attorney.

Mr. Anderson pointed out that there continues to be some City departments with unbalanced workforces, some with a majority of one of another ethnic groups, some with virtually no integration, etc. He said that the HRC would be classified as one of the better integrated city staffs racially and ethnically.

- Director Mickins was asked by Chairperson Yamakawa to discuss the status of the Civil Service Commission's own efforts to establish an affirmative action program.

Mr. Mickins reviewed the slow action of the Civil Service Commission since 1977 to incorporate into Civil Service Commission Rule 1.03 an affirmative action program. Part of this legislation provided for a six-month study of what appropriate role the Civil Service Commission should serve in recruiting, testing, and validation. The study was to include holding public hearings. The six months has elapsed long ago without public hearings taking place or introduction of any supplementary document.

The HRC reminded the Civil Service Commission by letter in May, 1978 that no public hearings on Rule 1.03 had taken place, and the General Manager, John Walsh, responded by saying that Commissioner Salomon would be asked to schedule them. Mr. Salomon has said that he currently is planning to hold these hearings, but no date has been scheduled, according to Civil Service Commission staff.

- Proposed Changes in Regulations of the California Apprenticeship Council.

Commissioners were provided copies giving the background on this issue. The Council was holding a public hearing on this date on the proposed changes. The federal government is requiring the state to make these changes to comply with federal legislation.

The Employment Committee recommended that the HRC endorsement of the following changes to Title 8, Chapter 2, Part I of the California Administrative Code:

1. Amend Section 201 to comply with legislative changes placing the responsibilities with the Division of Fair Employment Practices regarding complaints alleging discrimination.

2. Amend Section 203 to clarify the use of evidence in appeals to the California Apprenticeship Council.

3. Amend Section 204 to comply with legislative changes regarding (lowering) age of apprentices.

4. Amend Section 214 to interpret Labor Code Section 3071 regarding the Council's responsibility.

5. Amend Section 215 to comply with Federal regulation, 29 CFR Part 30, as amended May 12, 1978, and to incorporate the California Plan for Equal Opportunity Apprenticeship into the Administrative Code by reference.

6. To renumber Section 217 and to comply with legislative changes.

7. To amend the California Plan for Equal Opportunity in Apprenticeship to comply with changes in Federal Regulations 29 CFR Part 30, amended May 12, 1978.

The Committee recommended HRC opposition to one proposed change. (2) Preference Points for Completion of Approved Pre-Apprenticeship Courses. The Committee feels that due to the fact that few women have had the opportunity to enroll in pre-apprenticeship courses (long waiting lists for entry exist now), and their difficulty in getting into them (they now operate on a first-come, first-serve basis and are predominantly male), this proposed change may have an adverse impact on women's entrance into apprenticeship. HRC staff has been asked by the Committee to follow-up and report back on the continuing concern about the difficulty women experience trying to get into pre-apprenticeship courses.

After further discussion, it was

***** m/s/c that the HRC endorse proposed changes 1. through 7. above, and oppose the proposed change (2) Preference Points for Completion of Pre-Apprenticeship Courses.

The Chairperson polled the Commissioners to ask if their vote in opposition to the one change were on the principle that there sould be no preference points or because it would be discriminatory against women. One vote (Commissioner Morrissey) was on the principle, and one vote (Commissioner Maxwell) was for both reasons.

NEW MATTERS

- Commissioner Morrissey, joined by Commissioner Maxwell, suggested that the HRC consider making some kind of public recognition for public or private employers demonstrating meaningful nondiscriminatory employment practices.

Director Mickins said that this was a function that the proposed Friends of the HRC could concern itself with.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, September 28, 1978 at 9:15 A.M. in the Third Floor Commission room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, October 5, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco
12B Revision	Wednesday, September 20, 1978 4:00 P.M. 1095 Market Street, Suite 509 S.F. CA
Gay Advisory	To Be Announced
Housing & Urban Development	Wednesday, September 20, 1978 2:00 P.M. 1095 Market Street, Suite 509 S.F. CA
Police Liaison & Social Issues	Tuesday, October 3, 1978 4:00 P.M. HRC Offices-Room 509-San Francisco
Youth & Education	Thursday, September 21, 1978 3:30 P.M. Thursday, October 5, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street, San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM/JC/gb

ATTACHMENT I

HUMAN RIGHTS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION RECOMMENDING THE CONSOLIDATION
OF THE POLICE LIAISON COMMITTEE AND SOCIAL PROGRAMS COMMITTEE
INTO THE
POLICE LIAISON AND SOCIAL ISSUES COMMITTEE

WHEREAS, the Administrative Committee supports staff realignments to more efficiently fulfill the Commission's priorities; and

WHEREAS, it will avoid duplication to the extent that many issues currently considered by the Social Programs Committee are similar in character to those handled by the Police Liaison Committee; and

WHEREAS, past experience indicates that many viable issues could receive best attention from one consolidated standing committee; and

WHEREAS, it would more efficiently utilize the valuable time and expertise of both the HRC Commissioners and members of the two standing committees;

NOW, THEREFORE, BE IT RESOLVED that the Administrative Committee recommends that the Police Liaison Committee and Social Programs Committee be consolidated and henceforth be called the "Police Liaison and Social Issues Committee"; and

BE IT FURTHER RESOLVED, that the Director assist the Chairperson to implement this consolidation in the manner most appropriate to all concerned.

gb

Resolution 14-78

Adopted by the HRC September 14, 1978

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of September 28, 1978

NEXT MEETING Thursday,
October 12, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

COMMISSIONERS

Present: David Yamakawa (presiding), Vernon Alley, Carlota del Portillo, Rev. W.R. Drummer, Rabbi Alvin Fine, Sister Bernadette Giles, Enola Maxwell, Caryl Mezey, Donna Solomon.

Excused: Antonio Grafilo, Sylvester Herring, Phyllis Lyon, John Morrissey, Dan Silva, Nadim Zarour.

Staff

Present: Grant Mickins, Jack Casford, Alberta Grant, Don Hesse, Stanley Lim, Joe Meza, David Prowler, Gail Roberts, Emmett Rosebrough, Essie Thomas.

Pledge of Allegiance

Minutes of September 14, 1978 approved.

COMMUNICATIONS

- From Carol Dones, County Director, Open Road, thanks to Director Mickins for suggestions on refunding matters. Open Road is a job-development agency sponsored by the Citizens Policy Center, Inc.

- From John de Soto, Division Manager, Personnel, Civil Service Commission, thanks to HRC Employment Specialist Essie Thomas for serving on the oral examination board for the H-2 Firefighter Civil Service position.

- From Mrs. Robert R. Hall, Jr., protesting restrictions by the government of Argentina imposed on members of Jehovah's Witnesses. Commissioners discussed the HRC Policy Guidelines on Endorsement on this issue, and were told that the HRC office has received at least two other letters from Bay Area residents protesting the Argentine policies. Vice-Chairperson Mezey suggested that all members of the HRC receive copies of its Guidelines Policy on Endorsements to refresh their knowledge of its criteria and procedures. This Policy was adopted by the HRC May 12, 1977.

- From Rev. Cecil Williams, Chairperson, Coalition to Survive 13, a copy of a report on this ad hoc group's analysis of the impact of Proposition 13 to date on social services in the City, and its recommendations to the private business community for remedying these impacts by using "property tax windfalls" for job-creating purposes.

Commissioner del Portillo requested a copy of this report. Jack Casford of the HRC reported he attended two planning meetings of this Coalition on behalf of the HRC during which plans were made for a public demonstration which took place outside the San Francisco downtown headquarters of Standard Oil of California. The delegation of Coalition demonstrators received local news coverage and was received by representatives of Standard Oil to present the recommendations.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a copy of a letter sent to a number of City officials on the 1977-78 Grand Jury Reports, conveying the request of Dianne Feinstein, President of the Board of Supervisors, that each addressee report concerning Grand Jury recommendations pertaining to their respective departments. Copies of the Grand Jury Report concerning the HRC have been sent to all HRC members.

- From Elaine Lee, Esq., Attorney Candidate, San Francisco Neighborhood Legal Assistance Foundation, a copy of a letter to Mayor George R. Moscone seeking an investigation and resolution of actions by the Civil Service Commission regarding Ms. Lee's client.

- From Albert Ambrose, Division Manager, Personnel, Civil Service Commission, a copy of a memorandum to all City departments and personnel officers informing that the CSC is commending its annual salary standardization survey for 1979-80, and urging that any changes of revisions in the 1978-79 salary survey data be made by November 1.

Commissioner Fine was assured by Director Mickins that the HRC is making a strong representation on behalf of its staff salary benchmarks data. Proposition 13's passage cancelled recommendations for staff salary increases in this fiscal year.

- From A.C. Meyer, Jr., President, Fidelity Savings and Loan Association, offering HRC one of the firm's loan officers to discuss its affirmative lending program and explain procedures necessary to make a loan.

Director Mickins said he felt that this letter was a response to mailings recently from the HRC (Jesse Martinez, Affirmative Action Officer) to some 47 banks and savings and loan associations requesting workforce data.

- This letter was referred to the Housing and Urban Development Committee.

- Commissioner Mezey commented that at a recent meeting she learned that the HRC's affirmative action program was used as a model by another organization for writing its own program and, further, that a member of the Employment Law Center, a legal advocacy firm that had once brought action for disclosure against HRC for affirmative action agreements with a major City employer affirmed that once he had read the HRC plan, he found it to be an effective one to use as a model.

- From Mary Vail, Member, San Francisco Commission on the Status of Women, to Commissioner Mezey, expressing concern about the approach of the Powell Street Merchants Association in asking for more active arrest, prosecution, and sentencing of women charged with prostitution and the impact these policies could have on civil and employment rights for women offenders in San Francisco. This letter, with its three specific concerns, was read in full. The HRC was invited to join a discussion with the Powell Street Merchants Association and a number of diverse women's groups.

- This letter was referred to the Police Liaison & Social Issues Committee, with the participation of staff from the Employment Committee.

- From Dale H. Farabee, M.D., Director, State Department of Mental Health, to Commissioner Lyon, with copies to San Francisco state legislators, William Goldman, M.D., and Operation Concern, responding to Commissioner Lyon's request for assistance to assure funding of Operation Concern by the San Francisco County Department of Mental Health.

- Commissioner del Portillo expressed her concerns about HRC notification by the Civil Service Commission of meetings with minority communities for recruitment for Q-2 Police Officer applicants. Frank Anderson, of the HRC staff, has been representing HRC during this series of CSC meetings, Director Mickins reported. He said also that the Chief of Police has dissolved the Community Relations Unit.

Civil Service Commission, he said, is holding these meetings for minority recruitment information because of the eligibility list for Q-2 Police Officer jobs having been exhausted. Commissioner del Portillo urged strong HRC participation in this work. Commissioner Giles said a television program on September 27 has focused on the issue of recruiting gays for these job examinations.

- Commissioner Fine asked that the Director notify Frank Anderson that the Commissioners felt there should be a formal relationship between the HRC and the CSC in this area. It will also be an agenda item for the next Employment Committee meeting.

DIRECTOR'S REPORT

- 1977-78 Grand Jury Report

Following is the section of this report that dealt with the Human Rights Commission. It is printed verbatim as it was published.

1977-78 Civil Grand Jury Reports-City and County of San Francisco

HUMAN RIGHTS COMMISSION

The purpose of the Human Rights Commission is to promote the rights of every citizen for equal economic, political, and educational opportunity; for equal accomodations in all business establishments in the City; for equal service and protection by all public agencies; and eliminate prejudice and discrimination because of race, religion, age, sex, or sexual preference. The commission, which was created in 1964, handled over 844 rights complaints last year in areas involving employment, housing, education, and a new element, namely the problems of the gay community. There were over 73 documented gay-oriented complaints, and for the first time, the commission established a Gay Advisory Committee. There is also a gay representative on each of the standing committees.

Under the capable direction of director Grant Mickins, the commission has been developing programs and creative approaches to achieving maximum impact to getting public jobs and contracts for minorities. Minority outreach programs have achieved worthwhile success because of the commission's continued efforts to strengthen community and neighborhood imput. This is evidenced by the continued delivery of health case service to many low income families. The commission implements and monitors an affirmative action program for the City. Because of this program minority balance is maintained in government procurement, and awarding of job contracts.

The Commission is made up of 15 commissioners, who represent a broad cross-section of city groups, namely, employer, labor, religious, racial, ethnic, gay, etc. In San Francisco where minorities are nearly a majority of the population, the Human Rights Commission presents a well defined representative group reaching out for maximum impact.

- City Affirmative Action Program Status

It was reported at the HRC meeting of September 14 that the Civil Service Commission's General Manager, John Walsh, had agreed to request a meeting with the HRC to work out wordings of an ordinance that could be presented to the Board of Supervisors for their action in establishing officially a City affirmative action program. The original legislation, in the form of proposed ordinances from Supervisor Carol Ruth Silver, had been reviewed by the City Attorney, who had found some concerns with their wordings. Mr. Walsh has appointed Geoffrey Rothman of the CSC staff to work with the HRC staff and the City Attorney. The next meeting is set for October 5, with Phillip S. Ward of the City Attorney's Office, Frank Anderson of the HRC staff, a member of Supervisor's Silver's staff, a member of the Mayor's Office staff, and Mr. Rothman.

Because of objections to the ordinance creating a City-wide affirmative action program, the Board of Supervisors' Community Service Committee at its September 27 meeting had scheduled it for tabling. However, Frank Anderson, under instruction from Director Mickins, persuaded the Committee to postpone consideration for a month during which the above parties would re-word the proposed ordinance to meet the City Attorney's concerns.

Commissioners voiced extreme concern over this late-hour crisis possibly impeding, after so many years of HRC and CSC work, the eventual enactment of a working City government affirmative action program.

Commissioners urged Director Mikcins to let them know how they can be of assistance in getting momentum on getting this legislation drafted and scheduled for action at the Committee and Board levels.

Commissioner Fine recommended that the HRC get in touch with the Mayor's Office, reminding that it was at the request of the Mayor's Office to Supervisor Silver that legislation establishing a City affirmative action program was drafted and proposed, and that the City had been in jeopardy of losing supportive federal funding for lack of an official, working City affirmative action program.

- Office of Community Development Funding for the HRC.

Also as reported to the HRC September 14, the HRC has been told it will receive a grant of $18,000 (for one professional position) in order to monitor O.C.D. contracts totaling between $10,000 and $250,000 to be let by City departments.

- Wastewater Management Affirmative Action Program-Status of HRC Supplemental Appropriation Request.

This also was reported on September 14. It is hoped that the Board of Supervisors will receive by mid-October the formal recommendation for action on a grant of $73,969 (reduced from the original HRC request for $118,943) to fund (two professionals and one Clerk-Stenographer) positions to monitor contracts negotiated or awarded by the Civil Service Commission to obtain its approval of the three positions. The results of the Civil Service Commission survey will become part of the final recommendation to the Board of Supervisors.

- HRC Staff Revisions and Reassignments.

Director Mickins said that with Administrative Committee authorization and Commission approval, the HRC internally has made some of the most substantial revisions in its staffing assignments and priorities in its history. He said he felt that these actions would make possibly a "massive" staff impact on the monitoring of City contracts for affirmative action compliance. Virtually all staff now have some affirmative action monitoring function or involvement.

Mr. Mickins said that he will call on commissioners to assist in carrying out policy issues with other City commissioners in particular efforts to establish the HRC's statutory role to approve City contracts before they are submitted. The HRC has to date had this right only regarding construction, Public Works, and Wastewater contracts. City departments now, as a result of Proposition 13, are beginning to contract out many operations to the private sector previously performed by City employees; i.e., maintenance, food service for the Sheriff's Department, etc. The City is estimated to increase procurement from $175 million to over $200 million in the amount of contracts it will let annually. With the loss of City jobs under Proposition 13, these contracts should assure maximum employment opportunities for City minorities, women, and residents.

Mr. Mickins said that in the near future the HRC is going to be asking policy commitments from City department heads, commissions, and boards that to guarantee the right of advance review of contracts they are planning to let. HRC staff, he said, is willing to move up to the challenge of the greatly-increased HRC responsibility for this legal obligation of review of City contracts. This will require the support of the Chief Administrative Officer, and the commissions and boards that oversee these agencies.

- At this point, Vice-Chairperson Mezey, who had been presiding, turned the gavel over to Chairperson Yamakawa who had just arrived.

STANDING COMMITTEES

HOUSING AND URBAN DEVELOPMENT
Enola Maxwell, Chairperson
Antonio Grafilo, Co-Chairperson

- Recommendation to Endorse Proposition "U"-San Francisco Renters' Property Tax Rebate Ordinance of 1978.

This proposition will be on the November, 1978, ballot and came about through the initiative process requiring the signatures of registered voters. Proponents making presentations at the committee meeting were from San Franciscans for Renters Property Tax Relief, with opposition represented by the San Francisco Coalition Against Rent Control, and by Robert Amore, a member of the Housing Committee and also of the executive board of the San Francisco Real Estate Association.

Commissioners were provided copies of the proposal ordinance, of a summary by the San Francisco Renters' Rebate Committee, and an analysis by the No on U Committee of some of the sections of the proposed ordinance. During Committee discussion, opponents made the following points:

1. That passage of Proposition U would result in lessened maintenance work by landlords.

Proponents said that the City already requires certain standards of maintenance and that this would not be changed in any way.

2. That although the proposed ordinance would expire December 31, 1979, it would most likely continue in existence, given the difficulty of overturning rent regulations once adopted.

3. That this will cause housing ivestment interest to leave the City, and will cause more condominium conversion of rental units.

Proponents feel that if indeed housing ivestment did slacken it would tend to "cool off" the current highly-inflated housing rentals and sales figures. They also said that condominium conversion already is proceeding at a rapid rate.

Other objections were that most renter-owner differences would go to litigation, thereby clogging the court calendars; and that exempting some units from application of the rebate provisions is unequal protection.

Spokesperson for the opposition to Proposition "U" had been invited to speak at this HRC meeting, but did not appear up to the time of adjournment.

The Commissioners took a few minutes to study the material in detail and then heard from Chester Hartman, representing San Franciscans for a Renters' Property Tax Rebate. Mr. Hartman discussed both in general and detail the concepts of this proposed renters' tax rebate ordinance, which seeks to spread equally among landlords, homeowners, and tenants the tax benefits of Proposition 13, rather than have all the savings go to property owners only. It is predicated on the fact that renters already have been paying property taxes as part of their rent. The major concern, he said, has been that any ordinance of this kind providing for a tax rebate to renters contain a guarantee that landlords could not simply raise rents by an amount equal to any rebate they would legally be required to rebate. Mr. Hartman stressed these points, among others:

1. The proposed legislation would expire December 31, 1979.

2. The City Controller has announced it would cost nothing for the City to administer.

3. That the ordinance becomes effective only when there is a tenant complaint (i.e., a good tenant-landlord relationship will not give rise to any official action), thus does not penalize parties acting in good faith.

4. That it is not rent control, because it does not limit the amount of any rent increases, it sets no maximum profit rate for landlords, and extends for only one year.

Mr. Hartman pointed out that 70% of the City's residents are renters, and that a disproportionate number of them are minorities or low-income people.

He then responded to specific, technical questions from Commissioner Yamakawa on the Evictions section of the proposed ordinance, which lists nine Just Causes for evictions. At present, a landlord has no requirement to state a reason for an eviction. Thirty day's advance notice in writing is all that is required.

After further discussion, it was

*****m/s/c (7 ayes, 1 no) that HRC endorse Proposition "U", to establish the San Francisco Renters' Property Tax Rebate Ordinance of 1978.

Commissioner Mezey commented that the proposed ordinance, while affecting landlords receiving tax rebates and requiring a rebate to renters, does not in any way cover those landlords who are receiving no tax savings and who thus can continue to escalate their rents as they please.

Mr. Hartman said that it is estimated that there would be an average 10% monthly rent rebate to individual renters under this proposed ordinance.

EMPLOYMENT
Alvin Fine, Chairperson
Vernon Alley, Co-Chairperson
Carlota del Portillo, Co-Chairperson

- Women in Apprenticeship Program-Richey Gore, Job Development Counselor, Department of Labor, Women in Apprenticeship Program.

Ms. Gore outlined the basic function, procedures, and goals of the Women in Apprenticeship Program.

This program is an apprenticeship outreach operation to recruit, counsel, tutor, and provide supportive services in placing women in blue-collar, skilled trades apprenticeship positions. It operates in five Bay Area counties, San Francisco, Alameda, Marin, San Mateo, and Santa Clara. The program has a labor, management, and community board of directors. In the past five years it has placed some 500 women in blue collar jobs in apprenticeship programs in the Bay Area as carpenters, plumbers, ironworkers, tilesetters, roofers, piledrivers, laborers, and oil refinery trainees, among other positions.

As 1978, California, leader of all the states, had 1,047 women apprentices in the skilled trades out of a total of 36,000. In 1974, California had only 138 women in apprenticeship programs.

The goal for California is to attain a 20% participation level for women apprentices, set so high because of the difficulty of catching up on so many years of discrimination against women. Women in California are 38% of the total workforce. The goal was adopted into the Cal Plan (set up to facilitate minority--originally males only--apprenticeship participation.) September 14, 1978 by the California Apprenticeship Program's three field representatives and two administrators.

Ms. Gore thanked the HRC for including WAP in meetings with City contractors leading to successful apprenticeship placements throughout the Bay Area.

A current concern of the disproportionate number of females enrolled in vocational training classes and pre-apprenticeship programs. Ms. Gore noted (as has been discussed at an earlier HRC meeting) the difficulty in trying to get the Joint Apprenticeship Council to eliminate the 10-point preferential points given persons who have taken pre-apprenticeship courses.

In discussion with Commissioners following her formal presentation, Ms. Gore said that in 1978 the WAP has placed about 40% minority women in skilled trades apprenticeship, up from the former average of 25%.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Impact of Proposition 13 on San Francisco Unified School District's Educational Programs - Commissioner Giles.

The San Francisco Unified School District's Yvette del Prado, Associate Superintendent, Instructional Support Division, attended the recent Committee meeting for a discussion of the impact of Proposition 13 cutbacks on District programs. Some $26 million was lost for school programs, the heaviest impact on any California school district.

-450 long-term substitute teachers lost their jobs.

-creative arts and music programs have been drastically cut. San Francisco's music supervisor is required to teach half a day, and can give only half his time to coordinating the music programs for the entire system of 62,000 students and 120 elementary and secondary schools.

-with a hiring freeze, when science, math, or other speciality teachers retire or leave the District, there are no means to replace them.

-the Business School formerly located at Galileo High School, has been able to relocate only because the San Francisco Chamber of Commerce has taken it on as a project this year.

-efforts are being made to get private foundation fundings. One foundation will grant $100,000 to District high schools to improve community participation and levels of responsibilities.

-predictions are that things will be even more drastic next year financially.

Other Commissioners commented on grim predictions for the School District system for the next year.

NO NEW MATTERS

CALENDAR MATTERS

- The next meeting of the HRC will be Thursday, October 12, 1978 at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, October 5, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor St-San Francisco
Gay Advisory	To Be Announced
Housing & Urban Development	Wednesday, October 4, 1978 9:00 A.M. HRC Offices, 1095 Market St-Room 509, S.F.
Police Liaison & Social Issues	Tuesday, October 3, 1978 4:00 P.M. HRC Offices, 1095 Market St-Room 509 S.F.
Youth & Education	Thursday, October 5, 1978 3:30 P.M. Thursday, October 19, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor St-San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins
via Jack Casford

gb

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of October 12, 1978

NEXT MEETING Thursday
October 26, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

OCT 25 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Rev. W.R. Drummer, Sister Bernadette Giles, Phyllis Lyon, Caryl Mezey, John Morrissey, Donna Solomon.

Excused: Vernon Alley, Carlota del Portillo, Rabbi Alvin Fine, Antonio Grafilo, Sylvester Herring, Enola Maxwell, Dan Silva, Nadim Zarour.

Staff

Present: Grant Mickins, Frank Anderson, Alberta Grant, Don Hesse, Joe Meza Vicky Rathbone, Gail Roberts, Emmett Rosebrough, Essie Thomas.

Pledge of Allegiance

Chairperson Yamakawa remarked that there was not a quorum at the meeting. He suggested that the Commissioners present go through the agenda in order, taking only those items requiring no action on the part of the Commission. Should there be a quorum after the no action items had been considered, the Commissioners could return to those items requiring action or adjourn.

The minutes of September 26, 1978, could not be considered, due to lack of a quorum.

COMMUNICATIONS

- From John J. Walsh, General Manager, Civil Service Commission, submitting a copy of the Civil Service Commission Annual Report and thanking HRC for its assistance.

- From Mayor George Moscone, a copy of a letter referring a sexual orientation complaint to the HRC for investigation. Director Mickins informed the Commission that the complaint was an employment complaint against the City and County of San Francisco. The complainant had applied for a job as an Airport Policeman, a position under the joint aegis of the San Francisco Police Department and the San Mateo County Sheriff's Department. Part of the selection process consisted of a polygraph test during which he had been asked if he had homosexual tendancies. The complainant had refused to respond in a manner the San Mateo Sheriff's Department thought adequate. Subsequently, his application for employment was refused, despite the fact he has an excellent record in the military and elsewhere.

A brief discussion followed concerning the use of polygraph tests as part of a selection process for employment. Director Mickins stated it was fairly common in Police Departments.

- From Frank Fung, President, Asian American Architects, Inc. and Harold Yee, President of Asian Inc., expressing their appreciation to Grant Mickins for attending their organizational kick-off dinner.

- From George Suncin, Executive Director, Horizon's Unlimited, announcing plans for "Raza College Day" on October 12, 1978.

- From Jeanne S. Quock, Program Officer, Minority Business Enterprises-U.S. Department of Commerce, submitting requested information on M.B.E. models for consulting contracts.

- From Ms. Betty Geyer, W.O.E., requesting information on selected insurance companies under the California Public Information Act, Section 6351.

- From Leonard Fitzpatrick, Assistant Superintendent of Recreation, Recreation and Park Department of San Francisco, expressing his appreciation of Gail Roberts' work on the Youth & Education Committee and saying how much he will miss her. He credited Ms. Roberts with making him aware of many community needs and problems, which in turn helped him to better serve the recreational needs of the Community. Director Mickins said that Mr. Fitzpatrick has been a member of the Youth & Education Committee for many years. Ms. Roberts' new responsibilities made it impossible for her to continue to be its staffperson.

- From Margaret Maguire, Acting Clerk of the Board of Supervisors, concerning proposed legislation on "zero based budgeting" and "sunset" legislation. This legislation, in the form of an Ordinance amending the Administrative Code, was submitted jointly by Supervisors Milk and Silver. It provides that all non-charter City Boards, Commission and Departments would be subject to fixed periodic review. They would also be given a fixed life span, after which they would be subject to termination. Charter created Boards, Commissions and Departments would also be subject to fixed reviews, after which the question of their continued existence would be submitted to the electorate. Prior to termination of a non-charter Board, Agency or Commission, the Board of Supervisors would hold a public hearing. The agency in question would justify its past performance and explain why it would be worthwhile to continue its activity for a further fixed period of time.

The Commissioners discussed the intent of the proposed ordinance. Commissioner Morrissey felt it would be extremely costly to implement. The matter was referred to the Administrative Committee to develop a response for an October 25, 1978, hearing before the Finance Committee of the Board of Supervisors.

DIRECTOR'S REPORT

- Staff Reassignments and Contract Compliance

Director Mickins said administrative realignment and staff reassignments were completed, and that each staff person now has some role in monitoring the affirmative action efforts of City contractors.

As reported at the last meeting, HRC hopes to obtain a policy commitment from each City & County agency to give HRC advance notice of all future contracts. In this way, HRC can review the affirmative action record of the prospective contractor and ensure compliance with the affirmative action provisions of the City's Administrative Code. Also, HRC will be able to inform the awarding agency or the Board of Supervisors of any prospective contractors who are not in compliance with these provisions, and who are therefore not eligible to be awarded a city contract until a solution has been reached.

Mr. Mickins said the HRC will be covering a much broader area than ever before in respect to these contracts. He feels the impact will soon be widely felt due to the rapid progress being made in implementing the new policy.

- Assembly Bill 1915 addressing the Contract Compliance Powers of the Fair Employment Practices Commission.

Previous HRC Director, Mr. William Becker brought this matter to Mr. Mickins' attention. His concern was its possible effect on any on-going litigation challenging HRC's jurisdiction to monitor employment practices of City contractors.

The legislation, which has been passed by both Houses of the State legislature, provides that all contractors to the State must submit a non-discrimination program for the approval of the Fair Employment Practices Commission. Such a program, once approved, shall also constitute prima facie compliance with any local laws. This would appear to speak directly to the non-discrimination and affirmative action provisions of the City and County Ordinance under which HRC operates, and pursuant to which HRC monitors the affirmative action efforts of contractors to the City and County.

Director Mickins said he had spoken to an FEPC attorney who did not feel the new legislation would effect the authority of local laws. It was his opinion that a State-approved non-discrimination program would merely serve as a starting point in determining compliance with local laws. The procedural burden of going forward would then shift to the local agency, such as HRC, or complainant to prove that this program was inadequate to comply with local laws.

Director Mickins agreed with Commissioner Morrissey that the more local the enforcement, the more stringent the enforcement. He also pointed out that sexual orientation is not a protected category under either Federal or State law. Also, the ethnic population of San Francisco neccessitates analyzing the employment of Asians according to several different ethnic groupings. Such detailed employment information is not collected by the Federal agencies or the State.

Chairperson Yamakawa suggested seeking an opinion from the State Attorney General concerning the effect of the new legislation on local jurisdictions, if the matter is not clarified in the next few months. Director Mickins repeated the FEPC attorney's opinion that the new legislation does not pre-empt similar local laws and will not effect any on-going litigation.

STANDING COMMITTEES

EMPLOYMENT COMMITTEE
Alvin Fine, Chairperson
Vernon Alley, Co-Chairperson
Carlota del Portillo, Co-Chairperson

- San Francisco Civil Service Commission's Annual Equal Employment Opportunity Report.

Mr. Geoffrey Rothman, Affirmative Action Coordinator, Civil Service Commission, reported that this was the second year of operation for the CSC's Equal Employment Opportunity unit. He summarized the unit's principal activities over the last year.

1. In conjunction with a Community Advisory Committee, the EEO unit's major project this year was the development of an affirmative action plan for the jurisdiction of the San Framcisco Civil Service Commission. Mr. Rothman thanked HRC's Frank Anderson for his participation and significant contribution. Mr. Anderson's knowledge of Civil Service procedures had enabled him to guide and counsel other Committee members who were less familiar with the incredibly complex technical ramifications of the City's Charter, rules and regulations. This lack of familiarity had led the Advisory Committee to advocate a much broader plan than actually evolved from the discussions. For example, the Committee advocated implementing a city-wide plan rather than a plan restricted to the jurisdiction of the Civil Service Commission. This would have enabled the Committee to discuss such issues as the use of the Rule of Three for selection purposes, training, assignment and discipline. However, these issues remain the responsibility of the individual departments. Mr. Rothman said that the Civil Service Commission supports the Ordinance currently before the Board of Supervisors requiring all City Departments to develop affirmative action plans, which could address these areas of concern.

It is hoped that the Civil Service Commission will vote on its own affirmative action plan in the near future. If adopted, Mr. Rothman said it would be a major break through in afffirmative action for the City's Civil Service.

2. Development and Evaluation of Statistics on the City's workforce and hires, according to race, ethnicity and sex.

The table attached to these Minutes shows the changes in the composition of the City workforce by race, ethnicity and sex over a number of years. Mr. Rothman discussed the change between 1977 and 1978. He noted that, in general,

the employment of minorities in the City's workforce has continued to increase. Black employment was the only area where the statistics showed a percentage drop in representation. However, the actual number of Blacks employmed had increased. Mr. Rothman attributed the percentage decline in representation to the fact that the number of employees now included in the survey has greatly increased from last year's 22,000 to a high this year of 31,000. The effects of 'bumping' rights as a result of Proposition 13 layoffs on the employment of minorities and women in the City's workforce are not known, but both groups probably suffered setbacks in their professional advancement.

3. Cooperative Hiring Program with Private Industry.

Mr. Rothman reported that in anticipation of Proposition 13 layoffs, unit made the EEO contact with employers in the private sector in an effort to encourage them to absorb laid off City employees. PT&T and Wells Fargo had actually set up shop in the EEO unit's offices. Applicants were tested and hired on the spot. The overall response from private industry was very positive. Over one hundred firms placed job openings continuously during the period.

Mr. Rothman indicated that the majority of City employees who took advantage in the program were minorities.

4. Complaints of Discrimination.

Mr. Rothman reported that of the cases that had come before the Commission over the past year: one was still pending, two were resolved without need for a hearing, two were rejected for lack of jurisdiction and one was resolved in favor of the Department charged with discrimination.

The Civil Service's jurisdiction in dealing with complaints is very narrow in that it is limited to selection procedures. Mr. Rothman said the passage of Proposition B on the November ballot would expand the Civil Service Commission's jurisdiction to deal with any employment related discrimination complaint.

5. Employment Counseling.

Over 2,000 persons were counselled on employment opportunities. The unit has Spanish and Cantonese speaking bilingual counsellers.

6. Review of Entry Level Examinations.

Announcements for compliance with prevailing State and Federal EEO requirements.

These were reviewed particularly in relation to two issues: minimum qualifications and format and rating of the examinations. Several modifications resulted from this review. Mr. Rothman gave the example of the Management Assistant series where the requirement for a Bachelor's Degree was dropped. The thrust is to accept job related experience in lieu of education. Mr. Rothman mentioned that the modification of the requirements for the management assistant position was possible partly because of the success of a 1973 Management Training Program co-sponsored by the HRC. Most of the trainees were now successfully employed as management assistants although they were never required to attain Bachelor Degrees.

The results of the change in requirements will not be known until there is a new examination.

Another result of the review was to cut down or eliminate written examinations where written skills were not part of the job being tested for, or could be better tested in another way e.g., during probation period.

7. Training Programs.

The major training program, in operation since 1975, is the Interface Training Program run in conjunction with the Mayor's Office of Employment and Training which implements CETA.

Most of the trainees are either minorities or women. Its purpose is to provide participants with entry level professional positions in order that they gain the experience necessary to qualify for journey level positions later on. Trainees are also placed in programs where they fulfill special needs. For example bilingual trainees have been placed in the Police Community Dispatcher Program, as ambulance drivers and in Muni's transit information program.

Mr. Rothman responded to questions from Chairperson Yamakawa and Commissioners Mezey and Morrissey concerning the City's workforce statistics. Gains in minority representation were most significant in the lower job categories. While there had been some gains at the professional level, progress was not as significant for management positions. In relation to population statistics, the City's workforce has achieved parity for all ethnic groups except Hispanics who are significantly under-represented. However, temporary CETA employees now make up 10% of the City's workforce and account for much of the increase in the number of minority employees.

- Q2 Police Officer Exam-Mr. Geoffrey Rothman.

Mr. Rothman said that the last examination administered in 1974, is under litigation in the suit brought by Officers for Justice against the City and County. Two of the main issues of contention were the adverse impact on women candidates of the physical agility and performance test, and on Black candidates of the written part of the examination.

As a result of the court challenge, an intensified effort is being made to recruit women and minority applicants. Civil Service Commission's EEO unit has been assigned the responsibility for carrying out this recruitment drive and also for arranging training courses to prepare candidates for the exam.

For the first time, a recruitment bulletin has been sent out prior to a test announcement. Its purpose is to inform as wide a cross-section of the community as possible that an exam announcement for the Q2 Police Officer position will be made towards the end of October.

Six minority police officers, (two of whom are women), have been assigned full time to recruiting potential candidates for the exam. Ms. Sylvie Jacobson of the EEO unit is conducting a series of meetings with community organizations, seeking their input and cooperation in the recruitment effort and providing them with information about the exam.

Sixty second radio and television spots have been developed, advertising the upcoming exam and emphasizing the drive to recruit more minority and women police officers.

The Community College district has developed training programs preparing candidates for the audio-visual and written test. They will be offered week nights and Saturday mornings at at least six locations throughout the City and candidates will be given information about the courses when picking up the application.

In response to a question from Commissioner Morrissey, Mr. Rothman explained how the minimum requirements for the exam are established. The minimum age and U.S. Citizenship requirement are set by the City Charter. However, the Citizenship requirement is being changed. A candidate will need only to be a Citizen when appointed, not when the application is made.

The residency requirement is by Ordinance of the Board of Supervisors. A police officer can move out of the City once appointed, but candidates can only be recruited from among San Francisco residents. High School graduation is required by the State agency which conducts a training program for police officers, in which the San Francisco Police Department participates.

Commissioner Lyon questioned Mr. Rothman on the Unit's efforts to recruit Gay police officers. She was told that two recruiters have been assigned to the Gay Community as a part of their recruitment drive.

Commissioner Solomon asked Mr. Rothman about preparatory training in the physical agility test. He explained that the exact nature of the test will not be known until the exam is announced, probably on October 30. At that time, there are several training options. One is to make available a film of the physical agility test's events. Another is to make instructors available to assist candidates in developing the necessary techniques. Mr. Rothman said any physical training program would almost certainly be short term, preceding the test by 6-10 weeks.

Mr. Frank Anderson informed the Commission of concerns about the exam expressed by the Community and the HRC Employment Committee. These included the use of Veteran's Preference points in rating the exam, because of the potential adverse impact on women. Another concern centered on education requirements in relation to candidates who were educated outside the United States. Mr. Anderson also expressed grave reservations about the provision requiring all applications to be filed within 10 days of the examination announcement. He said that such a time period was too short.

Mr. Rothman said that if the list of applicants received at the end of the ten day period does not contain an adequate number of minorities and women, the filing period would probably be extended. Training for the exam will not begin before December to take care of this eventuality.

- LEAA Grant to San Francisco Police Department.

The grant is for about $550,000. The major portion of the money is to be devoted to crime prevention in minority communities. The rest of the money is to be used to recruit bilingual candidates for the entry level police officer position.

- Proposition B (Civil Service Reforms) and Proposition C (Mandatory Retirement Reform).

Due to the lack of a quorum, Chairperson Yamakawa suggested postponing consideration of these issues. Commissioner Mezey expressed deep concern over the equal opportunity language in Proposition B stating that no person shall be "favored" or discriminated against. She interpreted this as eliminating affirmative action as a policy of the Civil Service Commission. Mr. Rothman, who was still present, said he felt that this was not the intent when drafting the language. He said it was more of an Equal Opportunity than an Affirmative Action statement but that affirmative action could be approached through its use as a remedy for past discrimination.

YOUTH & EDUCATION COMMITTEE
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Resolution of HRC Support for Recreation and Park Commission's Supplemental Appropriation for Continued Operation of Swimming Pools and Playgrounds.

This item was postponed due to lack of a quorum.

- Operation of Summer Youth Programs.

Sister Bernadette Giles reported on the success of this summer work experience program. Four million dollars had been spent to serve 7,600 youths. All participants came from low income families and were between 14 and 21 years of age. The program lasted throughout the summer vacation and involved the participation of 17 local organizations.

A tutorial program was included as part of the program in some places. This results in paying young people to go to school to further their academic skills. Sister Giles commented that a recommendation had been made at a previous HRC meeting to study the merits of such a use of the taxpayers' funds.

HRC had also urged a longer preparation time for the program in order to make a wiser use of the money. It is now a year-round program allowing time to study results, make plans and iron out problems, (always assuming that funding continues).

Commissioner Solomon reported on improved methods of screening out applicants who do not meet the age and low income requirements to qualify for the program, but are merely looking for a summer job. Commissioner Giles commented that the federally determined low income requirement was too low in relation to San Francisco and also screened out many deserving applicants who accurately reported their income when applying to the program.

POLICE LIAISON/SOCIAL ISSUES COMMITTEE
John Morrissey, Chairperson
Sylvester Herring, Co-Chairperson

- Committee Report.

Mr. Joe Meza reported on the last meeting of this newly re-organized committee. Priorities and procedures for functioning had been discussed.

NO NEW MATTERS

CALDENDAR MATTERS

Employment	Thursday, November 2, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco
Gay Advisory	To Be Announced
Housing & Urban Development	Wednesday, October 18, 1978 9:00 A.M.. HRC Offices, 1095 Market St., Room 509 San Francisco
Ordinance Revision Committee	Wednesday, October 18, 1978 4:00 P.M. HRC Offices, 1095 Market St., Room 509 San Francisco
Police Liaison/Social Issues	To Be Announced
Youth and Education	Thursday, October 19, 1978 3:30 P.M. Thrusday, November 2, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco

NO REMARKS FROM THE AUDIENCE

Chairperson Yamakawa said that as there was still no quorum, consideration of the items on the agenda that required action would have to be postponed.

Proposition B was the only item not requiring action that had not been discussed. Commissioner Mezey asked about the provisions for an appeal procedure after suspension or dismissal, after a hearing before a Hearing Officer. It appeared such a provision had been eliminated.

Mr. Anderson responded that the Employment Committee shared Commissioner Mezey's concern. The Employment Committee had felt so many items were treated in the proposition, some of which they were in favor of and others of which they were against, that they had adopted no position, preferring to

refer the matter to the Commission as is, with no recommendation. He reported that the provision for the use of apprenticeship rosters to employ qualified apprentices in City service was considered favorably. The provision that promotive and entrance candidates competing in the same examination will be on one list in order of examination standing stimulated much discussion.

ADJOURNMENT

Respectfully submitted

Grant S. Mickins
via Vicky Rathbone

GSM/VR/gb

% COMPOSITION OF CITY WORKFORCE

(Race, Ethnicity, Sex)

	1964*	1971**	1976*	1977*	1978*
Caucasian	75.67%	67.86%	56.37%	53.6%	51.7%
Black	17.95	21.68	23.73	24.1	24.0
Hispanic	1.91	3.51	5.43	6.2	6.5
Asian	3.49	4.72	7.79	9.0	10.0
Filipino	.81	1.78	5.1	5.6	5.8
American Indian	0	.09	.26	.3	.3
Other Non-White	.27	.34	1.32	1.2	1.0
TOTAL MALE	N/A	72.51	62.94	62.0	60.7
TOTAL FEMALE	N/A	27.49	37.06	38.0	39.3

* Data based on Civil Service Commission surveys.

** Data based on Human Rights Commission surveys.

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HUMAN RIGHTS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of October 26, 1978

NEXT MEETING: Thursday
November 9, 1978
9:15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

NOV 10 1978

DOCUMENTS DEPT.
S.F. PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Carlota del Portillo, Rev. W.R. Drummer, Sister Bernadette Giles, Phyllis Lyon, John Morrissey, Donna Solomon, Nadim Zarour.

Excused: Rabbi Alvin Fine, Antonio Grafilo, Sylvester Herring, Enola Maxwell, Dan Silva, David Yamakawa.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Luis Escobar, Don Hesse, Gail Roberts, Emmett Rosebrough, Essie Thomas.

Pledge of Allegiance

Minutes of the meetings of September 26, 1978 and October 12, 1978 were approved.

COMMUNICATIONS

- From Dean C. Schroeder, Acting Regional Director, United States Department of Commerce, Bureau of the Census, Los Angeles, announcing recruiting for the position of Community Services Specialist in the Los Angeles region through the Bureau of the Census, Attn: Community Services Program, 11777 San Vicente Blvd., Room 810, Los Angeles 90049.

- From John J. Walsh, General Manager, Personnel, Civil Service Commission, summarizing and urging endorsement of Proposition B pertaining to CSC administrative procedures on seven major issues, such as employee discrimination complaints, establishing of probationary periods, use of performance evaluation and work samples in examination selection procedures, etc.

- From Henry Der, Executive Director, Chinese for Affirmative Action, thanking Frank Anderson of the HRC staff for his volunteer assistance to CAA with its job readiness workshop October 7, 1978. Commissioner del Portillo commented that community reaction to this workshop had been highly favorable and that Mr. Anderson had been cited particularly for his contribution. Director Mickins said Mr. Anderson's expertise is widely sought in the community.

DIRECTOR'S REPORT

- Salary Standardization for HRC Professional Benchmark Class 2996, Representative Human Rights Commission.

The Director read in full the results of staff members' surveys of Bay Area HRC staffs (currently used by the CSC for salary comparisons) and their positions since Proposition 13 was passed. The Alameda HRC staff (20) was eliminated;

the Marin County HRC was absorbed into another agency and has one part-time staff position; the San Mateo County HRC staff was eliminated; the Hayward HRC staff of one works only an average of one day a week for the HRC. Mr. Mickins noted that the San Francisco HRC's area of contract compliance and affirmative action responsibility had been more extensive than in many smaller jurisdictions. Currently, the HRC staff is responding to the Civil Service Commission notice to submit data to update the comparative jurisdictional salary ranges that are used to set recommendations for the Class 2996 rates.

The HRC's recent realignment of staff positions and internal workloads has resulted in every professional having some measure of affirmative action/ contract compliance responsibility, either full-time or at least 40% of working time. The responsibilities in the fields of housing and education under Chapter 12A of the Administrative Code remain, he said, and provision has been made to see that they are well-covered. But the realignment has put more responsibility on each professional staff member.

The recommended salary increase for fiscal 1978-79 recommended by the CSC before Proposition 13 for Class 2996 had been (including internal adjustments) 12.5%, the highest in the 14-year history of the HRC. This increase, of course, was nullified by Proposition 13.

It was

*****m/s/c that Chairperson Yamakawa and Commissioner Mezey be directed to reopen discussions with General Manager John Walsh of the CSC about salary increase recommendations for Class 2996, Representative Human Rights Commission.

- Status of CETA (federal Comprehensive Employment Training Act) Legislation and Recent Congressional Action.

The HRC continues heavily dependent for professional and clerical staff on placements through the CETA program. In recent years, two-thirds of the working HRC staff have been from the CETA program. Workloads have not been substantially different for regular Civil Service staff and CETA people, although the latter receive significantly lower salaries.

Recently, the Congress took action on the Public Employment Act renewal, and the President signed it, thus directly affecting San Francisco and the HRC. The national allotment of CETA slots the cities could fill was cut by approximately 100,000 to a total of 625,000. The local City CETA administrators of this program have begun cutting slot allotments, and the HRC has lost two Specialist I positions. Other disturbing aspects of the new legislation:

1. Participation in the CETA program has been limited to 18 months within any five-year period. This will mean that as of October 30, 1979 12 to 15 of the present CETA staff at the HRC will come to the end of their eligibility.

2. A maximum salary level, based on the Bureau of Labor Statistics Index by region, has been set. For Alaska, the most expensive part of the country to live in, this top figure is $13,200 annually. For San Francisco, it would be approximately $7,800 annually.

- Mr. Mickins said the emphasis in the legislation now is on the training aspect of the program for movement into the private sector.

3. HRC professional-level salaries therefore could not be used, given these low ranges for CETA supplemental salaries.

The Director said the HRC is going to have to develop alternative funding for existing staff (26, including both Civil Service permanent and CETA, professional and clerical).

- Status of Community Development Grant to HRC.

The Finance Committee of the Board of Supervisors, after consideration over several weeks, on October 25. approved a grant of $18,000 to the HRC to fund monitoring of construction and rehabilitation contracts let by the city at a value of between $10,000 and $250,000. Through a clerical error, the

$26,300 approved requested for this grant to the HRC was reduced to $18,000, and despite the efforts of the Director and staff, the Finance Committee refused to restore the original amount. The $18,000 will cover at least a part-time professional position to perform this task.

- Status of Wastewater Funding for HRC.

It is expected that the Civil Service Commission will complete its deliberations on HRC requested positions by November 6, and the funding request will then go to the Finance Committee. Commissioners asked to be kept informed of the schedule for handing of this issue, with a brief background on the past and present history so they may make representations on it.

- Affirmative Action Activity by Other Agencies.

The Director said that the HRC is operating currently under what he called "great pressure" from other City agencies which wish to establish their own internal affirmative action functions which are within the HRC jurisdication.

He cited the Airport Commission's recent policy discussions pertinent to the HRC function, which would explore the possibility that it (the Airport Commission) become independent of the HRC in affirmative action monitoring. The Airport Commission is due to let some $180 million in contracts over the next three years.

Jesse Martinez and Vicky Rathbone of the HRC staff have had greatly-increased workloads within recent months as the volume of airport leases and concessionaire agreements, and design, engineering, and consultant contracts have increased.

The Director noted that he and staff have met with members of the Airport Commission and its staff recently in order to explain to them the approach under Chapter 12B to avoid any misunderstanding of the HRC procedures and the extent of its work. But the Director has been informed that there is a current thrust for the Airport Commission to see how it could operate its own internal affirmative action program.

The Director announced also that the HRC currently is setting up a process for all City departments (similar to that for construction and design work at the Airport) for maintenance and like service areas requiring pre-bid-level involvement in contracts. This is to set uniform procedures for the terms of all affirmative action programs. A part of this work is in conjunction with Airport staff.

Mr. Mickins referred to a proposed Policy Statement to be considered for adoption by the Airport Commission illustrating the thrust to establish its own independent bid and review affirmative action powers. The reference to the HRC's role is stated: "Carrying out this policy the commission and staff shall be guided by definitions and standards set by the San Francisco Human Rights Commission. The Commission and staff shall cooperate fully with the said Human Rights Commission and shall work closely with various appropriate organizations and minority contractors in implementing this policy so as to achieve a goal...."

Staff met October 25th with Airport staff and will set up another meeting to urge more HRC involvement with setting up an internal affirmative action program. Director Mickins pointed out that one of the dangers of a City Department's establishing a separate affirmative action program and setting up an absolute quota without flexibility, is that it would lead inevitably to a Bakke-type lawsuit challenge involving the HRC and all other City and County agencies.

- HRC Letter to All City Departments Re: Prior Notice:

All City department heads will soon receive a letter requesting meetings to discuss the formal HRC request that each department establish a procedure which gives prior notice to the HRC of contracts proposed for award.

- The letter was read in full.

- Also a Draft Letter to Joseph Gavin, City Purchaser and a Proposal Re: Development of a Small Business Contract Participation Program for San Francisco.

This letter was read in full. It will enclose a summary of an affirmative action program designed to increase participation of small businesses in government procurement, modeled on the state's recently-enacted Small Business Procurement and Contact Act. The HRC will ask Mr. Gavin to study this program HRC is considering development of a similar program.

As background to this letter, Director Mickins noted that as the City moves more actively into contracting with private firms for services formerly done by City employees in City departments, many contracts are let to firms outside the City. This means that any of these firms have minimal local staffs (thus local jobs are not enhanced) and taxpayer money is going out to other areas. He cited an example the Sheriff's Department's contracting out food service (a $1.3 million contract) for the City and County jails. This contract has been granted to a firm based in El Segundo, in southern California, which maintains one locally-based agent employee and perhaps two others for distribution of the food, which is flown up to San Francisco.

Mr. Mickins said the letter to Mr. Gavin sought to address three areas of concern:

1. Establishment of some kind of preferential procedure for local contract participation.
2. Establishment of a procedure for minority enterprises participation.
3. Establishing a preference for Small Business participation.

Berkeley and Alameda County, Mr. Mickins said, have provision for local business preferences in the awarding of contracts.

The letter seeks Mr. Gavin's reaction, therefore, to the two model programs preparatory to establishing a similar one in San Francisco.

Commissioner Morrissey raised the point of the legal distinction, if any, between granting contract "preference points" to small businesses or to minority businesses. Director Mickins said the Berkeley program had been held legal under their Charter.

*****It was suggested by Commissioner Morrissey that the HRC seek information from the City Attorney on this point.

- Contractors, Subcontractors, Suppliers Monitored Under Chapter 12B

In accordance with the HRC's Policy Governing Public Disclosure of Affirmative Action Information, staff is making available to the public an updated current list of all contractors, subcontractors, and suppliers monitored under provisions of Chapter 12B. A copy of this list would be mailed upon request to the HRC office at 558-4901.

COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Proposed Resolution that the HRC Support the Recreation & Park Commission Supplemental Appropriation - Commissioner Giles.

This item was continued from the HRC's October 12th agenda.

In July, following the June passage of Proposition 13, the HRC had formally opposed significant fiscal reduction in youth programs. The Recreation & Park Department had done a splendid job of keeping its 1978 summer youth programs going, but as a result it now is short of funds necessary to keep the present part-time

staff at all swimming pools, recreation centers, and playground.

Ms. Roslyn Beauchamp, Assistant Recreation Supervisor, Personnel, Recreation and Park Department, addressed the HRC briefly, explaining that if the supplemental funds are not forthcoming a number of swimming-pool and other programs would be eliminated or cut back. She said a poll of the Board of Supervisors showed at this date that a majority would approve the supplemental appropriation request. She responded to questions from Commissioners Zarour and Morrissey.

It was

*****m/s/c that the HRC adopt the Resolution Urging Apportionment of Supplemental City and County Funds to the Recreation and Park Department. The full text is attached to these Minutes.

Commissioner Zarour asked that his "no" vote be recorded.

- Proposed Resolution Supporting Increased Federal Funding for Public Law-94-142.

Messers Theodore Scourkes, Coordinator of Student Services, and Hal Solin, Project Manager, Special Education Programs, of the Unified School District were at the October 19th Youth and Education Committee meeting to discuss the problems of providing adequate funding for educational services to handicapped children.

Commissioner Giles reviewed briefly the background on the issue. Public Law 94-142 was passed in 1975, but failed to provide federal funding adequate to support the educational services it says is the right of all handicapped children. It poses, therefore, an almost insupportable burden for states, given such federal grants as only 5% in 1977-78.

After further backgrounding (all contained in the Resolution) it was *****m/s/c that the HRC adopted the Resolution Supporting Increased Federal Funding for Publice Law 94-142. The full text is attached to these Minutes.

It was noted that Emmett Rosebrough did the background research on this subject, leading to the Youth & Education discussion and recommended Resolution.

- Commissioner Morrissey questioned whether the federal government's P.L. 94-142 did, in fact, "mandate" such education, and portions of the legislation were read verbatim. It was agreed, however, to change the word "mandate" in the second "Whereas" of the Resolution to "recognizes". See the attached text.

- Status on Human Rights Commission Recommendation on Programs for the Disabled.

Eight recommendations were adopted by the HRC June 8, 1978 and forwarded to the San Francisco Unified School District.

This was the followup on the status of those recommendations. That:

1. The San Francisco Unified School District solicit and utilize the recommendations of the Special Education Advisory Committee in the formulation and implementation of Special Education programs.
   - This has been done.
2. The SFUSD provide inservice training for regular teachers who will have disabled pupils in their classes for the 1978-79 school year.
   - This is being done by the San Francisco Unified School District,
3. SEARCH AND SERVE information and information on the rights of parents to appeal student placement, circulated to parents and the community be printed in the dominant languages.
   - This has been done.
4. Existing programs currently operated by the Community College District and non-profit agencies. for disabled adults over twenty-one be expanded to eliminate waiting lists and that resources be coordinated to maximinze utiliza-

tion of services.
- Mr. Scourkes could not report on the Community College District.

5. The waiting lists of pupils needing special education services be monitored to ensure that no pupil be obliged to wait one month or longer for services and that support staff be sufficient to obviate waiting lists.
- An effort is being made to do this.

6. Facilities in regular schools which are used by disabled pupils be adequate for them.
- This has not been 100% achieved. Children are still in inadequate quarter

7. The rights of parents and students to confidentiality, to appeal placement decisions, and to appropriate programming be scrupulously protected.
- This is a policy being enforced.

8. The impact of the Educational Redesign Plan on disabled students be monitored throughout the 1978-79 school year.
- This is taking place.

Parents of disabled children in public school programs were among the persons taking part in the Youth & Education followup discussion on these recommendations.

ADMINISTRATIVE
Caryl Mezey, Chairperson

- Request to Seek Funding for Proposal to Conduct a Survey of Private Sector Businesses in San Francisco to Determine Their Level of Implementation of Affirmative Action Plans - Commissioner Mezey

Rebecca Hazelwood, a research consultant, who has done projects for the Office of the Mayor's Criminal Justice Council, for the San Francisco Chamber of Commerce, and for the Mervin D. Field Research Corporation, reviewed her recommendations, done at the request of the Director and the Administrative Committee. Member packets at this meeting contained a narrative description of the survey method, type of questionnaire, budget, work schedule, etc.

Ms. Hazelwood cited the source material for her presentation and included a bibliography with the written document. She said the project, for which the HRC would submit a funding proposal for $30,900 to a private foundation, would require a project director, a technical advisor, and two part-time research assistants.

The goal is to survey, via confidential questionnaires sent to from 300 to 500 San Francisco businesses, 1)what the attitudes of businesses are towards their affirmative action programs and 2)what they actually are doing in affirmative action.

Ms. Hazelwood would operate from the HRC offices. The work schedule calls for a final report to the HRC by the fifth month after the survey starts.

There will be cross-checks with Equal Employment Opportunity Commission data of the data collected by this survey. Every effort will be made to confirm the validity of the information.

Ms. Hazelwood's partner is Ms. Francine Rizzo. She would supervise coding of information and data processing.

Ms. Hazelwood responded to a number of Commissioners' questions. Businesses will be asked to respond to the questionnaires. She said that as part of their civic responsibility. She stressed the protection of the confidentiality of the questionnaires and the participating firms.

It was

*****m/s/c that the HRC approve submitting a Funding Proposal to Conduct a Survey of Private Sector Businesses in San Francisco to Determine Implementation of Affirmative Action Plans.

There was some informal discussion about working jointly perhaps with the Chamber of Commerce in utilizing the data of this survey.

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson
Vernon Alley, Co-Chairperson

- Civil Service Commission --- Q-2 Police Officer Examination.

Due to concerns of community agencies that sufficient time has not been given by the CSC to allow for adequate recruitment of applicants, the Employment Committee recommended that the HRC formally protest the announcement in order to revise it to allow for a minimum of 45 (forty-five) days' notification of the job openings to community agencies and permit ten days for the filing of applications.

It was

*****m/s/c that the HRC formally protest the Civil Service Commission's Recruitment Bulletin for Q-2 Police Officer, in order that it be revised to provide a minimum of 45 (forty-five) days' notification of the job openings to community agencies, and permit ten days for the filing of applications.

- City Election Propositions---Proposition B. and Proposition G.

Commissioners were provided copies of analysis of these two Propositions by the Ballot Simplification Committee.

- Proposition B - Civil Service Reforms.

The Committee took no position on Proposition B. Vice-Chairperson Mezey read excerpts from the October 23, 1978 letter of Civil Service Commission General Manager John J. Walsh to HRC Chairperson David K. Yamakawa, Jr.,. This letter had been mentioned and discussed in the Communications section of these Minutes. There had been some Committee-level concerns over the wording of certain provisions of Proposition B. and the fact that the Proposition contained variety of different issues in Civil Service. Hence, no recommendation of a an HRC position was forthcoming.

- Proposition G - Mandatory Retirement Reform.

This would eliminate the manadtory retirement age of 65 for members of the City Retirement System.

On recommendation of the Employment Committee, it was
*****m/s/c that the HRC endorse Proposition G.

ORDINANCE REVISION
Enola Maxwell, Chairperson
Donna Solomon, Co-Chairperson

- Interim Report and Recommendations for Revision of Chapter 12A Relative to Education and Housing - Commissioner Solomon.

Commissioners were provided in advance of this meeting the recommendations for changes in 12A relative to education and housing in detail, showing what the Committee proposed deleting, adding or substituting.

Commissioner Solomon reviewed these recommendations in detail.

Education

The changes proposed were minor additions in Section 12A.5. Powers and Duties, paragraphs (b), (c), (d), and (e); deletion of the (a) paragraph of Section 12A.5. to remove the Advisory Council reference (an Advisory Council has not existed since the early few years of the HRC) and substitute reference to Standing Committees and to remove that reference also in paragraph (b). A change in Section 12A. 11. changes the written report timing from every three months to annually.

Housing

Section 12A.2. was added to with the word "housing" in the list of basic rights of every inhabitant of the City and County. The San Francisco Housing Authority and Redevelopment Agency, pending the opinion of the City Attorney if these additions are necessary, would be added to paragraph (e) of Section 12A.5. and paragraph (f).

- It was announced that the Employment Committee will have on its agenda November 2nd the charge for it to make recommendations for changes to Chapters 12A and 12B relative to employment. This action will be passed on to the Ordinance Revision Committee for its final report will.

- It was further recommended that Chapter 12B of the San Francisco Administrative Code be amended to include the provision that all City agencies and departments (not just revenue-producing ones) be required to pay a fee to the HRC for its monitoring services. No fee schedule has been set, though informally it had been suggested that for revenue-producing departments this fee be set at 1% of the contract amount, and for nonrevenue-producing departments at ½ of 1% of the contract amount.

- In addition the Ordinance Revision Committee recommended that the HRC not at this time seek any change in its status as an ordinance commission to a charter commission.

*****The Committee also asked for, and received, an extension of the submission date of its final report.

- Commissioner Morrissey had three suggestions and comments:

1. That the Advisory Council reference be retained, with wording that it "may be established" instead of that it "shall be established."

2. That consideration be given to the fact that adding the Housing Authority and Redevelopment Agency might cause other departments to want to or have to be mentioned specifically.

3. That careful thought be given to the amount of any fee schedule set for HRC affirmative action contract compliance services, which should relate to the costs of providing the services and, further, should not distinguish between revenue-producing and nonrevenue-producing departments.

*****Acting Chairperson Mezey referred these and other suggestions back to the Ordinance Revision Committee.

- The next meeting of the Ordinance Revision Committee will be Monday, November 13, at 4 p.m. at the HRC offices, Room 509.

ADMINISTRATIVE
Caryl Mezey, Chairperson

- Report and Response by Administrative Committee to the Proposed Code Amendement on Zero Base Budgeting and "Sunset" legislation Before the Board of Supervisors' Finance Committee - Commissioner Mezey

Zero base budgeting generally refers to a review of ongoing programs in terms of the need for such programs, as well as the goals, objectives and performance of these programs, "Sunset" legislation refers to a fixed expiration date for ordinances passed by the Board of Supervisors; Boards, Commission and Departments not created in the Charter would also have fixed termination dates; and Charter-created Boards, Commissions and Departments would have fixed review dates after which the question of their continued existence could be submitted to the electorate.

The HRC will testify, the Acting Chairperson announced, in regards to recommended improvements for this proposed Administrative Code Amendment when it is on the agenda for the Finance Committee on these points:

1. While related, the two subjects should be separated.
2. On zero base budgeting report, the HRC is concerned that there is no chance for a commission to go beyond 95% of its present funding; if a particular agency is doing a good job and needs more money, there is no way to request it.
3. Concern that fiscal reporting to the Mayor's Budget Office and the Board of Supervisors could be simultaneous, to avoid having to prepare duplicate reports.
4. Concern that a year i s not adequate notice to any Commission or Board or Department to "wind down" its activities.

NEW MATTERS

- There was brief, informal discussion intiated by Commissioner del Portillo on a Proposition that would exempt Civil Service Commissioners from serving at the pleasure of the Mayor.

CALENDAR MATTERS

Employment	Thursday, November 2, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco
Gay Advisory	To Be Announced
Housing & Urban Development	Wednesday, November 15, 1978 9:00 A.M. HRC Offices, 1095 Market St., Room 509
Ordinance Revision Committee	Monday, November 13, 1978 4:00 P.M. HRC Offices, 1095 Market St., Room 509
Police Liaison/Social Issues	To Be Announced
Youth & Education	Thursday, November 12, 1978 3:30 P.M. Thursday, November 16, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco

NO REMARKS FROM THE AUDIENCE
ADJOURNMENT

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM/JC/gb/lm

11/2/78

HUMAN RIGHTS COMMISSION

RESOLUTION SUPPORTING INCREASED
FEDERAL FUNDING FOR PUBLIC LAW 94-142

WHEREAS, all handicapped children have the right to free, appropriate, public education; and

WHEREAS, Public Law 94-142 (Education for All Handicapped Children Act of 1975) recognizes that the right of handicapped children to appropriate education will be ensured through careful diagnosis and evaluation; and

WHEREAS, federal funding specified in P.L. 94-142 is as follows: 1977-78: 5%, 1978-79: 10%, 1979-80: 20%, 1980-81: 30%, 1981-82: 40% (maximum) based on national average costs; and

WHEREAS, there is a shortage of Special Education credentialed teachers, especially minority group teachers in the San Francisco Unified School District; and

WHEREAS, the California State Department of Education uses fifty percent of the state's entire allotment for administration and support services (i.e., inservice training and personnel development); and

WHEREAS, the San Francisco Unified School District, in particular, has not received sufficient benefit of State funds to provide for inservice training and personnel development; and

WHEREAS, the California public schools in general and the SFUSD, in particular, have had their revenues sharply reduced due to the passage of Proposition 13, a problem compounded by declining enrollment; and

WHEREAS, Project Search and Serve has increased substantially the number of identified handicapped students; and

WHEREAS, costs to local school districts have risen dramatically because of increased federal and state requirements; and

WHEREAS, P.L. 94-142 mandates extensive services to handicapped children without providing adequate federal funding;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission of San Francisco petition its Congressional representatives to introduce legislation in the 1979 Session which would increase the proportion of funding specified in P.L. 94-142 to 30% for 1979-80, 40% for 1980-81, and 50% (maximum) for 1981-82; and

BE IT FURTHER RESOLVED, that P.L. 94-142 be amended to limit the state share of funds for administrative costs, including monitoring, to ten percent; and

BE IT FURTHER RESOLVED, that P.L. 94-142 be amended to permit that states to provide support-services (i.e., inservice training and personnel development) as requested by local districts and to be reimbursed for such services; and

FINALLY, BE IT RESOLVED that the San Francisco Congressional delegation be requested to introduce emergency legislation, when Congress reconvenes, in order to increase funding for 1978-79 to 20%.

ER:GR:gb

Resolution 16-78

Adopted by the HRC 1/26/78

ATTACHMENT 2

HUMAN RIGHTS COMMISSION

RESOLUTION URGING APPORTIONMENT OF SUPPLEMENTAL CITY AND COUNTY FUNDS TO THE RECREATION AND PARK DEPARTMENT

WHEREAS, the Human Rights Commission on July 13, 1978 adopted a Resolution stating in part: "FINALLY, BE IT FURTHER RESOLVED, that the Human Rights Commission oppose significant fiscal reduction in youth programs"; and

WHEREAS, the Youth and Education Committee June 15, 1978 recommended that the Human Rights Commission urge that the Recreation and Park Department be funded to the fullest extent possible for 1978 summer months; and

WHEREAS, the Recreation and Park Department offered its full 1978 programs this past summer creating the present shortage of funds for part-time supervision; and

WHEREAS, the Recreation and Park Department has only approximately $320,000 for part-time supervision for the remainder of the fiscal year; and

WHEREAS, Recreation and Park's Account 120.002 "part-time as needed", provides additional staff for swimming pools, recreation centers and playgrounds; and

WHEREAS, the continued deletion of $601,263 in Account 120.002, as originally approved for the 1978-79 budget, would necessitate severe reductions in the operations of swimming pools and playgrounds; and

WHEREAS, the Office of the Mayor has reduced the amount of the Recreation and Park Commission's $601,263 request for Account 120.002 to $321,000; and

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission support the Recreation and Park Commission's Supplemental Appropriation request for $601,263 to provide funds for Account 120.002 "part-time as needed" to provide continued operation of swimming pools and playgrounds and that the Human Rights Commission send letters of support for the Supplemental Appropriation request for funds for part-time playground and swimming pool staff, to the Mayor and to each member of the Board of Supervisors.

Resolution 15-78

Adopted by the HRC 10/26/78

HUMAN RIGHTS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of November 9, 1978

NEXT MEETING Thursday,
November 0, 1978
9.15 A.M.

Commission Room, Third Floor
Main Library, Civic Center

NOV 22 1978

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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

ROLL CALL

Commissioners

Present: Caryl Mezey (presiding), Vernon Alley, Carlota del Portillo, Rabbi Alvin Fine, Sister Bernadette Giles, Antonio Grafilo, Phyllis Lyon, Enola Maxwell, John Morrissey, Nadim Zarour.

Excused: Rev. W.R. Drummer, Sylvester Herring, Dan Silva, Donna Solomon, David Yamakawa.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Luis Escobar, Alberta Grant, Stanley Lim, Gail Roberts, Emmett Rosebrough, David Treanor.

Pledge of Allegiance

Minutes of October 26, 1978 approved with one change. Page 3, first paragraph, first line, word "approved" should be deleted to read "..$26,300 requested for this grant to the HRC was reduced to $18,000,...".

COMMUNICATIONS

- From Vince C. Rice, Executive Director, Greater San Francisco Opportunities Industrialization Center, Inc., announcing "One Involved Community," a special event held October 27 at Sigmund Stern Grove to share ideas of community organizations, and inviting the HRC to participate.

- From Dean C. Schroeder, Acting Regional Director, United States Department of Commerce, Bureau of the Census, inviting HRC attendance at a meeting to discuss plans for the 1980 Decennial Census.

- From Bonnie Sherk, Director, Crossroads Community, requesting volunteers to work with this program, an art and environmental education center.

- From Judy Johnston, Special Projects Manager, Data Processing Center, Office of the (City) Controller, requesting completion of a Planning Project Survey Form for the fiscal year 1979-1980.

- From Dolly Sacks, Executive Director, Stanford Mid-Peninsula Urban Coalition, asking support for the Coalition's funding request to the City of San Francisco's Office of Community Development to finance Operation Sentinel, an assistance program to minority persons who suspect they have been discriminated against in housing. Marin, San Mateo, and Santa Clara counties, according to Mrs. Sacks, have assisted this program through Community Development grants.

- From Fred Reid, Superintendent of Recreation, Recreation and Park Department, thanking the HRC, through Commissioner Sister Bernadette Giles, for its support (by action October 26, 1978) of the Recreation and Park Department supplemental appropriation request to retain part-time recreation staff.

- From John J. Walsh, General Manager, Personnel, Civil Service Commission, announcing a meeting for Friday, November 17, at 3 P.M. in Room 228, City Hall to consider the supplementary Affirmative Action Plan for Equal Opportunities. The HRC would be prepared to participate in this meeting, the Director announced.

Acting Chairperson Mezey announced that Director Mickins' father, Grant Mickins, Sr. died November 1, 1978 in Jacksonville, Florida. She expressed the deepest regrets of the HRC and staff to Mr. Mickins and his family, and it was

*****m/s/c that this meeting be adjourned in memory of Mr. Grant Mickins, Sr. Director Mickins stated that his family was greatly touched and encouraged by the flowers, cards, and expressions of sympathy and letters sent them by the HRC and staff.

DIRECTOR'S REPORT

- Status of Wastewater Monitoring Funding for the HRC.

The Civil Service Commission has completed its review of the request for two additional positions (apart from the Class 2996, Representative, Human Rights Commission, the journeyman professional position at the HRC) as Contract Compliance Officer I and Contract Compliance Officer II. These two positions will specialize in contract compliance, something the HRC has sought for many years and which will enable it to monitor, review, evaluate, develop and make recommendations with respect to affirmative action requirements in contracts granted by the City to the private sector.

- Status of Office of Community Development Grant to HRC.

The Board of Supervisors has approved the Office of Community Development grant "package" which includes $13,000 to the HRC for monitoring of construction and rehabilitiation contracts let by the City in the category between $10,000 and $250,000. It is expected that this funding will become available to the HRC in January of 1979.

- It was announced that Jesse Martinez, a member of the HRC staff in affirmative action work for the past five years, is resigning effective November 30. to take a position with the U.S. Department of Health, Education & Welfare. Mr. Martinez was wished good luck, and thanked for his contributions to the HRC.

Mr. Mickins noted, on inquiry from Commissioner del Portillo, that the HRC loses professional, experienced people most generally to higher-paying similar jobs with the federal government. Five experienced CETA employees have left in two years.

- Letter to City Departments Requesting Prior Notice to the HRC.

This letter, which asks that meetings be scheduled to discuss the formal HRC request that each City department establish a procedure which gives prior notice to the HRC of contracts proposed for award, has been mailed to seven City departments. The HRC has scheduled meetings with departments under the jurisdiction of Chief Administrative Officer Roger Boas.

- Letter to Joseph Gavin Regarding Minority Business Contract Participation.

The letter discussed at the HRC meeting October 26, 1978) has been sent to Joseph Gavin, the City Purchaser, regarding development of a small business contract participation program for San Francisco.

- Letter to Ruth Kadish, President of the Airport Commission.

Ms. Kadish has been asked by Director Mickins to meet to discuss HRC concerns over the announced intention of the Airport Commission to establish its own affirmative action program for contracts. This meeting was not held due to the absence of Mr. Mickins and Mr. Heath on November 1.

STANDING COMMITTEES

EMPLOYMENT
Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson
Vernon Alley, Co-Chairperson

- Status Report on Bayview-Hunter's Point Memorandum of Agreement-Stanley Lim.

Commissioner del Portillo introduced Mr. Lim by noting that this issue served as an example of the leadership role that the HRC has provided and is continuing to provide to communities, not only in affirmative action, but in the resolving of problems arising between diverse groups.

Mr. Lim, the HRC's veteran Contract Compliance Representative, gave a brief background history on the Memorandum of Agreement of November 25, 1970, which established an affirmative action program for the Bayview Model Cities Area.

The Memorandum of Agreement was drawn up, largely at the suggestion of, and with active participation by, the Human Rights Commission, between the Associated General Contractors of California, Inc., the San Francisco Building and Construction Trades Council, AFL-CIO, and the Bayview-Hunters Point Model Neighborhood Agency. William Becker, the then Director of the HRC, was a key figure in the several months of intensive discussions that preceded the signing of the final document.

The Agreement establishing residency requirements for affirmative action employment in construction projects in the Bayview-Hunters Point area was seen as necessary, said Mr. Lim, to meet two then-urgent needs:

1. The U.S. Housing and Urban Development Department's directives encouraging residency requirements in employment projects in Model Cities areas.

2. The lack of guidelines at that time to meet Bayview-Hunters Point community concerns for full participation in employment opportunities at the Candlestick Park Expansion project then under way.

The HRC has been implementing the Memorandum of Agreement since it was signed in 1970, requiring contractors to comply with the established goal of "using their best efforts" to assure that no less than 50% of the work force in each craft.....be recruited from among residents of the Model Cities Project Area. (This area is defined as bordered on the north by Army Street, on the east by San Francisco Bay, on the south by the San Francisco County line, and on the west by Bayshore Freeway.)

The Bayview-Hunters Point Model Cities Area has a population of between 60,000 and 65,000, with approximately 60% Black, 20% Latino, and the remainder White and Other Minorities.

The HRC has, since 1970, made periodic public reports indicating progress made by its monitoring and implementation work under the Agreement.

On August 21, 1978, after eight years of operation of the Memorandum of Agreement, Stanley M. Smith, Secretary-Treasurer of the Building Trades Council, wrote to the other signatories to the Agreement, stating that the Council and its individual unions wished to "re-negotiate and/or terminate the Memorandum of Agreement in its entirety." Mr. Smith's letter was intended as formal notice to the parties as provided in the Agreement. (A copy of this letter was provided to the Commissioners, along with copies of the original Agreement, of proposals for a new Agreeement originated by Mr. Smith

and associates, and of the counterproposals drawn up jointly by the HRC and the Bayview-Hunters Point Affirmative Action Program staff.) Mr. Lim said that the residents of this area have told the HRC in several meetings that they wish to renew the Agreement.

Mr. Lim discussed the major points of the proposals offered by the Building Trades Council. They are:

1. To eliminate the HRC from participation in the Administrative Committee, which meets quarterly to review the operation and implementation of the Agreement.

2. To eliminate the HRC from the Evaluation Committee, which evaluates qualified residents of the Bayview-Hunters Point Area for job openings in various crafts on the construction projects.

3. To establish an arbitration method for settling disputes.

4. To change the employment goal (of 50% residency) to one based on the unemployment rate for the Bayview-Hunter's Point Model Cities Area.

Mr. Lim then discussed the major points of the counterproposals drawn up jointly by the HRC, the San Francisco Redevelopment Agency, and the Bayview-Hunters Point Affirmative Action Program staffs. They are:

1. To continue the HRC in its capacity as observer in both the Administrative and Evaluation Committees, and the committees be expanded to include the Public Utilities Commission and the Redevelopment Agency in the same role.

2. To continue the 50% residency requirement employment goal for projects in the Bayview-Hunters Point Model Cities Area.

3. To have all parties (signatories to the Agreement) observe the Grandfather Clause in relationship to any changes, amendments or termination of the Agreement. This means that any parties working under the existing Agreement would not be affected by any later changes or amendments to it; only parties entering into the Agreement after changes and amendments are made would be affected.

4. To accept the proposal that an arbitration method be set up for settling disputes, but that the unions and contractors pay the cost of arbitrators.

Discussions by the three signatories to the original Agreement are under-way on these proposals and counterproposals. The HRC is not allowed to participate in these round-the-table discussions, but is present only as an observer, as are the Office of the Mayor, the Redevelopment Agency, and the State Division of Apprenticeship Standards.

Mr. Lim said that he feels that there is an inbalance in these discussions under these conditions. He also said he feels that the proposals for change will weaken the Agreement, reduce the employment goal, and are an attempt to eliminate the participation of any governmental agencies in the functioning and implementation of the Agreement. He says that his concerns are shared by members of the staff of the Bayview-Hunters Point Affirmative Action Program. He said that the Associated General Contractors organization is opposed to the proposal that the HRC be eliminated from the Administrative and Evaluation Committees.

There followed Commissioner discussion on this presentation.

Asked by Commissioner Morrissey to comment on why he thinks the Building Trades Council would initiate these new proposals, Mr. Lim said one factor he felt applied was that the HRC had been so "vigorously" enforcing the terms of the Agreement on the contractors and sub-contractors. Another was that some of the trade unions (electricians, ironworkers, operating engineers) have indicated to the HRC that they find it very difficult to meet the 50% residency employment goal. However, he said, this complaint had not been frequently communicated to the HRC for the seven years the Agreement operated up to 1978.

He noted that a contract, (Contract P) part of the giant, largely federally-funded Wastewater project (Southeast Water Pollution Control plant), was let early this year in the Bayview-Hunters Point area which amounted to $114 million and will mean between 600 and 800 jobs within a year or so.

In addition, the Redevelopment Agency has leased a land site to the U.S. Postal Service (in the India Basin Industrial Park) to construct a $40 to $60 million mail processing center, with a potential for 400 to 500 jobs in the next several years.

The trade unions, Mr. Lim said, are concerned that there may be great difficulty in meeting 50% residency goals for these and other major projects.

It was pointed out, however, that the Agreement as worded currently requires only that "good faith efforts" be made by employers to meet the 50% residency goal, and that if these are unsuccessful in the immediate area, jobs may be filled by recruiting elsewhere.

Mr. Lim pointed out also that the residency requirements have been modified by the HRC to eliminate the former condition that persons must be residents one year prior to employment and remain residents, to the requirement that persons need be only bona fide residents (identification with the community, mailing address, telephone bill, etc. establishing residency, etc.). In addition, former residents of the area who continue to work there are considered qualified under the Agreement.

Mr. Lim said the HRC currently has noncompliance complaints filed against two of the three Wastewater project contractors in the Bayview-Hunters Point area.

Mr. Lim stressed that the HRC has no say on whether the Agreement shall be renewed (by November 25th), re-negotiated, changed, or terminated. He said he will report later to the HRC on what role it can have under any of these conditions.

Commissioner del Portillo said that the HRC's Employment Committee will discuss what future relationship to this issue it will have.

Commissioner Fine stated that the roots of the current issue go back to early concerns about unions' hiring hall practices and seniority systems that had to be resolved when the HRC's Nondiscrimination Ordinance was being written. The situation in Bayview-Hunters Point has been changed greatly, he noted, by the existence of several multi-million-dollar construction projects meaning hundreds of long-term jobs, in contrast to the one-year Candlestick Park expansion project that led to the Memorandum of Agreement in the first place.

In the Employment Committee discussions of this subject, it was stressed that Mr. Smith and his constiuents would be invited to participate so that all points of view could be heard.

Mr. Lim announced that the next negotiation meeting on these proposals and counter-proposals to the Memorandum of Agreement would be Friday, November 10, but thathe felt it would be some time before the issue would be resolved. In the event that no resolution of differences is reached by November 25, he reminded the HRC, Mr. Smith's August 21 letter calls for official termination of the Memorandum of Agreement.

In response to Commissioner Fine's question on what other federal agency (other than HUD) has regulations to foster resident employment, Mr. Lim said none. That the federal Environmental Protection Agency, the primary funding source for the Wastewater project, does not encourage residency employment.

ADMINISTRATIVE COMMITTEE
Caryl Mezey, Chairperson

- Modification of HRC Policy Governing Public Disclosure of Affirmative Action Information.

This Policy was adopted by the HRC May 27, 1976. Section III. Availability of Documents: B, states:

"Every six months the Commission shall make available to the public an updated and current list of contractors, subcontractors, suppliers and all finalized documents on file with the Commission and subject to 12A and 12B of the Administrative Code. This list shall be made available by way of attachment to the Minutes of the regular meeting of the Commission for said period. A copy of this list will be mailed to individuals upon request."

The availability of this list was announced at the October 26, 1978 regular meeting of the HRC: However, the list was not attached to the October 26, 1978 Minutes because the list is approximately 15 legal-size pages long, and attaching it would have entailed considerable expense. Copies of the list are provided free of charge to anyone who requests them by contacting the HRC offices.

It was then

*****m/s/c that the HRC change its Policy Governing Public Disclosure of Affirmative Action Information, Section III. Availability of Documents, B. to read:

"Every six months the Commission shall make available to the public an updated and current lists of contractors, subcontractors, suppliers and all finalized documents on file with the Commission and subject to 12A and 12B of the Administrative Code."; Then deleting. "This list shall be made available by way of attachment to the Minutes of a regular meeting of the Commission for said period. A copy of this list will be mailed to individuals upon request." And substituting: "The availability of this list shall be announced at a regular meeting of the Commission for said period and that announcement shall be included in the Minutes. Copies of this list will be mailed upon request."

GAY ADVISORY
Phyllis Lyon, Chairperson

- Caseload Report on Complaints Stemming from Article 33 of the Police Code.

Presentation of this report will be made at the November 30, 1978 HRC regular meeting. Supervisor Quentin Kopp had asked that there by a report on the effectiveness of the first six months of enforcement of Article 33 of the Police Code, which was added in April, 1978. Article 33 effective beginning May 11, 1978 prohibits discrimination in employment, housing, and public accomodation based on sexual orientation in the City, and names the HRC as the agency empowered to investigate and mediate complaints filed with it by individuals.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Committee Report.

1. Followup on the Joint HRC Youth & Education and Employment Committees' work on affirmative action on student admissions to state universities.

The Committee invited Arthur Lathan, Coordinator of Affirmative Action, San Francisco State University, to discuss the status of this affirmative action work. Significantly, Commissioner Giles, said, an Assembly Concurrent Resolution (No. 151) will require by 1980 that all state colleges and universities have an affirmative action plan which actively recruits minorities so the university population reflects the student population of the area they are serving. Several Commissioners expressed uncertainty about the final definition of this guideline, and Commissioner Giles said that Mr. Lathan had been equally uncertain. State universities, he reported, are currently working on outreach plans, college enrichment programs in high schools, and other steps to motivate young people at lower levels of education to consider university study. The Committee agreed that it should monitor these and other steps in other colleges and universities.

2. Followup on the HRC's re-referral on September 29, 1977 to the Committee for re-study of four elements of the HRC's Principles for Affirmative Action in Public School Employment, as a reaction to expressed concerns by Commissioners Maxwell and Grafilo that such terms as "minorities" were becoming irrelevant.

Commissioner Giles then quoted from the first of the guidelines in the Principles document:

1. "Mount special efforts to identify and recruit qualified members of previously-excluded groups for job openings which become available."

Commissioner Giles said this poses a question of whether the affirmative action for the employment of teachers in the School District should reflect only the employment of those of previously-excluded groups, or of the population of the children in the school.

There was informal discussion of the definition of "minorities" growing out of the guideline quoted, but no recommendation was made or action taken on the question. There was general agreement that the Youth and Education Committee should undertake more study, seeking statistics, for example, on the racial and ethnic backgrounds presently of Unified School District staff.

NEW MATTERS

- Director's Findings.

1. A Finding has been issued by the Director upholding a charge of sex discrimination against the San Francisco Ballet Association. The HRC presently is waiting for the Association (the respondent) to notify if it wishes a show-cause hearing or a hearing before the full HRC.

2. Review of formal complaints of noncompliance with affirmative action filed by the HRC against Northpoint Pier, Inc. (the Warren Simmons commercial development at Pier 39) and the prime contractor, Swinerton & Walburg, has been completed by Director Mickins, and the material will be forwarded to all parties soon.

- Zero Base Budgeting and Sunset Legislation.-Commissioner Mezey

Commissioner Mezey represented the HRC at the recent meeting of the Finance Committee of the Board of Supervisors to present the points of concern about this proposed legislation, which the HRC discussed at its regular meeting October 26, 1978.

CALENDAR MATTERS

- The next regular meeting of the HRC will be the last Thursday, November 30, rather than the fourth Thursday, November 23, which is Thanksgiving Day, a legal holiday.

STANDING COMMITTEES

Employment	Thursday, December 7, 1978 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor St.-San Francisco
Gay Advisory	To Be Announced
Housing & Urban Development	Wednesday, November 15, 1978 9:00 A.M. HRC Offices, 1095 Market St. #509

Ordinance Revision Committee	Monday, November 13, 1978 4:00 P.M. HRC Offices, 1095 Market St. #509
Police Liaison/Social Issues	Met Thursday, November 7, 1978 4:00 P.M. HRC Offices, 1095 Market St. #509 Next Meeting to Be Announced.
Youth & Education	Thursday, November 16, 1978 3:30 P.M. Thursday, December 7, 1978 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street-San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted

Grant S. Mickins
via Jack Casford

GSM/JC/gb

11/16/78

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of December 14, 1978

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NEXT MEETING: Thursday,
December 28, 1978
9:15 A.M

Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular standing committee meetings.

JAN 11 1979

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ROLL CALL

Commissioners

Present: David Yamakawa (presiding), Rev. W.R. Drummer, Sister Bernadette Giles, Caryl Mezey, Enola Maxwell, John Morrissey, Dan Silva Donna Solomon.

Excused: Vernon Alley, Carlota del Portillo, Rabbi Alvin Fine, Antonio Grafilo, Sylvester Herring, Phyllis Lyon, Nadim Zarour.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Luis Escobar, Alberta Grant, Linell Harden, Vicky Rathbone, Emmett Roseborough, Lydia San Filippo.

Ms. Lydia San Filippo has joined the HRC staff as an Affirmative Action Officer, succeeding Jesse Martinez, who resigned.

Pledge of Allegiance

Minutes of November 9, 1978 approved.

------The regular meeting of the HRC scheduled for November 30, 1978, was cancelled in the week of mourning that followed the assassinations of Mayor George R. Moscone and Supervisor Harvey Milk on November 27.

COMMUNICATIONS

- From Despain Connor, Benecia Congregation of Jehovah's Witnesses, asking the HRC to contact authorities in Argentina regarding that government's reported actions against members of the Jehovah's Witnesses. This is one of a series of similar letters on this same issue that the HRC has received in the past several months.

- From Martin L. White, Marketing Director, San Francisco Business Development Center, a copy of a letter to Richard Sklar, Director, San Francisco Wastewater Program, describing the activities of the Center, "offering in-house assistance relative to minority business in the fields of finance, marketing, and constructi

- From Stewart Weinberg, Attorney, of Van Bourg, Allen, Weinberg & Roger, attorneys for Service Employees International Union Local 87, formally filing a complaint charging a City contractor, Pacific Utilities Company and Roger Ellis, with failing to follow City affirmative action requirements under Chapters 12A and 12B of the City Administrative Code. Director Mickins said the HRC will follow through on this complaint. This contract was let by the San Francisco Department of Public Health to provide custodial services.

*****Commissioner Mezey noted that the trend towards the contracting out of public services formerly provided by City departments emphasizes the HRC need to be a party to the initial phases of these contract bids and negotiations in order to fully implement its affirmative action mandate.

- From Caryl Mezey, Community Coordinator, thanks to Grant Mickins for his contributions to the campaign to defeat the Briggs Initiative, Proposition 6, the anti-homosexual measure, in the November , 1978 election.

- From the late Mayor Geroge R. Moscone, a memorandum to all City department heads, boards and commissions giving the schedule for public hearings on development of departmental budgets. They were scheduled for November 28, and 30 and December 5, and were cancelled in the aftermath of the assassination of Mayor Moscone.

- From Judith L. Teichman, Deputy City Attorney, a copy of the Appellants' Opening Brief on behalf of the HRC in its appeal through the Court of Appeal of the State of California in the case brought against the HRC by Alioto's Fish Company, Ltd., et al. (thirteen other Fisherman's Wharf restaurants). Superior Court Judge Charles L. Peery had ruled in October of 1977 that the City (the HRC) was pre-empted by the state in monitoring these restaurants (lease-holders with the City) for compliance with City affirmative action requirements.

- From Richard Baca, General Counsel, United States Commission on Civil Rights, inviting the HRC to attend its consultation on Police Practices and the Preservation of Civil Rights December 12 and 13 in Washington, D.C.

- From James M. Kenderdine, Commission Chairperson, Human Rights Commission, Norman, Oklahoma, asking for a copy of the funding proposal the HRC has developed for research it hopes to do on private sector affirmative action attitudes and activities.

- From Acting Mayor Dianne Feinstein, giving details on memorial and funeral services for Mayor George R. Moscone and Supervisor Harvey Milk.

- From Edmund W. Ong, Chief, Architecture and Urban Design, San Francisco Redevelopment Agency, a copy of a letter to Martin L. White, Market Director, San Francisco Business Development Center, informing that his request for a set of plans and specifications of the Yerba Buena Center Convention Center facility has been forwarded to John Igoe (representing the City), who has direct project responsibility for it.

- To Acting Mayor Dianne Feinstein, on November 30, 1978, offering the services of HRC emmbers and staff during the time of transition of administration in the City and County.

- From Virginia K. MacCubbin. Administrative Assistant, Office of the District Attorney of San Francisco, in response to the HRC's letter of November 16 regarding contracts executed by City and County departments, advising that the District Attorney is not involved in contract proposals, which are handled through the Purchasing Department of the City.

- From Milton H. Mares, Chief Labor Negotiator, Employee Relations Division, Board of Supervisors, asking that the HRC send a representative to a meeting December 6, 1978 to discuss management proposals to submit to the recognized employee organization.

- From Maxwell C. Gillette, Director, Community College Centers of the San Francisco Community College District, a copy of a letter to Ms. Prudence Hodson of the Teacher Resource Center, the copy for Commissioner Phyllis Lyon, attaching copies of memos regarding the memorial events for Mayor Moscone and Supervisor Harvey Milk.

- From Maria Gomez Daddio, Western Region Program Consultant, The Volunteers of America, thanking HRC Coordinator Gail Roberts for assistance in obtaining information for the development of a program proposal.

- From Eleanor Yaranon, Field Representative, Apprenticeship Opportunities Foundation, Inc. announcing a monthly newsletter.

- From Sidney Rudy, Secretary of North Point Pier, Inc. and member of the law offices of Rudy, Rapoport and Holden, a formal request to the HRC for a show cause hearing on the Finding of the HRC Director on noncompliance with affirmative action requirements under the City Administrative Code against North Point Pier, Inc. (the development firm for the Warren Simmons commercial project at Pier 39 on the City's Embarcadero). See Director's Report in these Minutes.

- From George L. Newkirk, Director, Minority Business Enterprise/Affirmative Action, Public Utilities Commission of San Francisco, a copy of a letter to Joseph Gavin, City Purchaser, rescinding an earlier request for suspension of payment on a Muni (Municipal Railway) agreement with an auto painting firm. The payment had been requested because of the firm's failure to comply with Chapter 12B.

- From Mr. Newkirk commenting on a December 5 meeting with Director Mickins and Affirmative Action Officer Stanley Lim of the HRC regarding the functioning of the Minority Business Enterprise Program for the PUC. See Director's Report in these Minutes.

- From Mr. Newkirk, a separate letter of the same date listing his understanding of the agreements made at the December 5 meeting at the HRC. See Director's Report in these Minutes.

- From John C. Cook, of the law offices of Voltz, Cook & Orenstein, a copy of a letter to Bari Stolmack, Trial Attorney, U.S. Equal Employment Opportunity Commission, regarding the Equal Employment Opportunity Commission vs. San Francisco Ballet Company case. Mr. Cook made the Ballet Company's final offer of settlement in this case.

Director Mickins reported that this complaint was a charge of sex discrimination brought by a woman employee against the San Francisco Ballet Company, and that in a meeting involving all major parties, including the HRC, with which a formal complaint also was filed by the complainant, a settlement was agreed to. Mr. Cook's offer included the commitment to "...prepare an Affirmative Action Plan to be mutually agreed upon between the Ballet and the Human Rights Commission."

DIRECTOR'S REPORT

- North Point Pier, Inc. Appeal of Director's Finding of Noncompliance

The law office representing North Point Pier, Inc., the development firm for the Warren Simmons commercial complex at Pier 39 on the City's Embarcadero, has filed a formal appeal to the Finding of Noncompliance issued by Dirctor Mickins in mid-November. The letter requests either a show cause hearing or an appeal before the full HRC, if the former is unsuccessful for the appellant. Director Mickins said he felt that the matter should come before the full HRC because there is a challenge to the jurisdiction of the HRC in addition to the question of whether North Point Pier, Inc., is in noncompliance with affirmative action requirements of the City's Administrative Code. A full packet of background information will be provided the HRC before any hearing is scheduled.

- Alioto's Fish Company, et al., v. HRC (Appeal)

On behalf of the HRC, an appeal has been filed formally in the Court of Appeal by the City Attorney's Office. The appeal is to a ruling in October of 1977 by Superior Court Charles L. Peery that the City is pre-empted by the State in monitoring Fisherman's Wharf restaurants (as City leasees) for compliance with City Administrative Code ordinances' affirmative action requiremnts including the HRC's requiring regular reporting of workforce breakdowns. Director Mickins said that the state Fair Employment Practices Commission has filed an amicus brief in this appeal taking the position that it does not have power of pre-emption in this instance. Attorney Teichman may brief the HRC in Executive Session before the formal appeal hearing. The respondents have asked thirty days' extension to develop a brief on the HRC appeal.

- Revised HRC Affirmative Action Program for Design Consultants

The HRC is well along in developing this program, based on an analysis of last year's results and identification of problem areas. A public hearing was held December 4 in the Lurie Room of the Main Library at which representatives of design firms holding, or seeking, City contracts, contributed their observations on the program. This hearing was chaired by Commissioner Mezey. A second meeting on December 6, also sponsored by the HRC was attended by representatives of all awarding agencies. This input currently is being reviewed by staff, and it will be considered eventually by the Employment Committee and reported to the full HRC. This program will apply, said Director Mickins, to the contracts being let at the San Francisco International Airport, where there had been considerable expression of concern about minority participation.

- HRC Jurisdiction in Contracts Let by the City Purchaser

For the first time in City history, a program extending HRC authority for prior review and monitoring of all contracts in excess of $50,000 let by the City Purchaser's Department has been approved by the City Purchaser. Between $175 and $200 million in goods and services contracts are let by the City Purchaser annually. This program includes:

- The HRC's right to review contract bids.
- The requirement that HRC affirmative action guidelines be attached to the bid and contract documents at the time of issuance.
- The requirement that the HRC questionnaire be filled out by the respective contractor and submitted prior to award.
- The HRC's right to review and advise the City Purchaser on the eligibility and acceptability of these contracts.

Director Mickins said that the HRC will have to concentrate at present on contracts totaling more than $50,000, but it has the option of reviewing lesser amount contracts if they are repetitive agreements to the same contractor. Director Mickins said this involves the HRC in every major City department, creating a substantial new work demand made on the staff.

- HRC Meetings with City Departments Regarding Monitoring

To date, the HRC staff has met with approximately one-half of the 58 City departments to discuss its affirmative action requirements and procedures. All have been cooperative and agreeable to implementing the procedures to give the HRC prior notice to any contract negotiations.

Director Mickins said, "This has been a long time coming (to the HRC) but it's here. The role that we should and could have played for many years is finally accepted. I have been surprised and delighted at the cooperative response of the City departments, remembering the sometimes hostile reactions of years past to our efforts."

Copies of the Affirmative Action Program for Suppliers that will be sent out will be provided all members of the HRC.

*****Commissioner Mezey congratulated Director Mickins personally for his "patience, persistence, and reasonableness" in establishing this precedent-setting program understanding.

Director Mickins in turn paid high tribute to the knowledge, dedication, and expertise of the HRC staff in this work.

- Meeting with George Newkirk of the Public Utilities Commission

See Communications section of these Minutes. These letters, Director Mickins said, are the result of a December 5 meeting with Mr. Newkirk by Chairperson

Yamakawa, Mr. Mickins, and Stanley Lim of the HRC as part of the process of developing uniform procedures and coordination between Public Utilities Commission and with the HRC's monitoring mandate. Mr. Newkirk has been implementing affirmative action for the PUC under Chapter 12B (the HRC's Nondiscrimination Ordinance authority) since the late 60s and has been attached to the Public Utilities Commission office. Because of the lack of real coordination between the HRC and PUC affirmative action work, the meeting of December 5 was set to create basic guidelines. They include:

1. Mr. Newkirk will report monthly to the HRC.

2. He will submit to the HRC a list of contracts being sent out by the PUC for bid.

3. Regular reports will be made to the HRC on how those contracts are being monitored.

4. Notification will be made to the HRC of any complaints to be filed, and Chapter 12B procedures will be implemented.

Director Mickins said that Mr. Newkirk was in agreement that these guidelines will remedy the major aspects of the HRC's concerns.

- Meeting with Mayor Feinstein

Director Mickins and Chairperson Yamakawa were scheduled to meet at 3:00 P.M. on this date with Mayor Feinstein as part of her meetings with City department heads regarding budget and operational concerns.

- The George R. Moscone Memorial Family Fund

The HRC staff will be contributing funds to join with those of the HRC members to submit to this Family Fund, set up to provide educational support for the four surviving children of the late Mayor. A formal letter of condolence will accompany this contribution.

STANDING COMMITTEES

EMPLOYMENT COMMITTEE
Rabbi Alvin Fine, Chairperson
Carlota del Portillo, Co-Chairperson
Vernon Alley, Co-Chairperson

- Fair Employment Practice Commission

Alice A. Lytle, Chief, California Division of Fair Employment Practices. (Note: Practice is singular in the Commission title, plural in the Division title.)

Ms. Lytle was introduced by Frank Anderson, HRC Employment Representative and staff for the Employment Committee. In light of recent issues involving both the FEPC and the HRC recently, it was felt appropriate that the full HRC have a presentation on the functions of this state agency.

Ms. Lytle is former Deputy Legal Affairs Secretary to Governor Edmund G. Brown, Jr., a graduate of Hunters College in New York, and of the Hasting Law School of the University of California. She was named to her position as Chief, California Division of Fair Employment Practices, in September, 1977.

Material giving background on the FEPC and the State FEP administrative process, written by Ms. Lytle, was provided in advance to the Commissioners.

Ms. Lytle concentrated on the changes to the California FEP Act that came about through legislation passed in 1977 and 1978, changes, she said, that considerably expanded and improved the functioning of the Division, in the area of contract compliance.

Ms. Lytle said, in addition to considerable resistance to the concept and the authority of the FEPC in certain segments of the business and real estate communities, among others, the FEPC has, historically, been greatly under-funded, leaving it with a "paper mandate" as far as being able to effectively deal with the expansion of its duties, including the addition of several protected classes. (age, physical handicap, etc.), plus expanded authority in the area of remedial measures and discovery. However, said Ms. Lytle, and even in the era of Proposition 13, this status of inadequate FEPC resources to carry out its mandate is changing. Ms. Lytle said a number of administrative and personnel changes have been effected in recent months in order to compensate for the lack of state funding. For example, one problem had been the need for investigators to handle both employment and housing complaints, and the solution will be to develop specialized expertise on the FEP staff in these areas. Ms. Lytle said that there has been a substantial increase in the amount of complaints on age discrimination since that category was added to the FEP mandate.

More specific points of AB 738, under which the Division has found a great deal more flexibility and authority, were discussed in detail by Ms. Lytle, including the distinction between the FEP Commission and the FEP Division, e.g., the Division may now accept class action complaints and bring complaints on its own initiative.

Under the expanded contract compliance authority granted the FEP Division, can now set standards for affirmative action plans, including monitoring, and enforcement action where there is noncompliance. It can now obtain a court-issued restraining order in some cases.

Ms. Lytle said that her Division wishes to coordinate its work with other state, federal and local agencies that have concurrent jurisdictions, calling for increased information-sharing, and utilization of, say, Division assistance in contacting a certain industry. She wishes also a similar cooperative understanding with housing groups, both private and public.

When Ms. Lytle came to the agency in 1977, she said, the so-called "backlog" of complaint cases was between 4,500 to 5,000. But, she said, the term "backlog" was inaccurate inasmuch as many of the cases had simply not been closed administratively, or had been resolved by the federal Equal Employment Opportunity Commission but, because they were simultaneously filed with both agencies originally, had not been closed by the FEP Division.

In order to meet this "backlog", the Division set up a separate administrative unit of workers under Title II of the Comprehensive Employment Training Act funding, whose duties were exclusively to resolve and/or close these cases. The backlog has been reduced to 2,215 from the nearly 4,000 still not closed as of December, 1977, said Ms. Lytle, will be eliminated by October of 1979. She emphasized that the cases will be investigated and completed before they are closed.

Ms. Lytle responded to a number of questions from the Commissioners. She said that there has been a demonstrated increase in the number of discrimination complaints received by the Division since the dissolution of a number of local human rights commissions as a result of cutbacks under Proposition 13. She said because at present there is no sure way to determine this impact (e.g., people don't know where else they can go; the FEPC has no offices in many local communities, etc.), she could anticipate continued increases in these complaints.

Ms. Lytle said that the state funding for the FEPC totals $2.9 million, and that, with federal and other funding, the total budget is $5.2 million. This, she said, in a state that has what she called "the seventh largest economic entity in the world." In 1975, state funding for the agency was only $1.6 million.

It is a paradox, Ms. Lytle said, that when the FEPC or Division do their job too well, e.g., by pursuing an investigation of a complaint, they can be subject to considerable criticism and pressure.

Asked about reverse discrimination cases, a number of which have been filed with the FEP, she said that she considers the term a "buzzword", like busing. She says the agency finds, in reverse discrimination cases, that often there is either an inoperative or ineffective affirmative action plan, or a valid plan with some person or persons internally who are "sabotaging" it (e.g. by telling a white

applicant that "I have to take these blacks and chicanos, but I'd rather hire you.")

Following her presentation, Ms. Lytle responded to a number of questions from the Commissioners.

The HRC thanked Ms. Lytle for her excellent presentation and offered to work closely with her and the FEPC staff on mutual issues.

YOUTH AND EDUCATION COMMITTEE
Sister Bernadette Giles, Chairperson
Donna Solomon, Co-Chairperson

- Committee Report-Sister Bernadette Giles

- Preliminary Report on Suspension.

Emmett Rosebrough has obtained important statistical material on suspensions from the S.F.U.S.D., and Commissioner Giles referred to them. During 1976-1977, there were 3,141 suspensions. In 1977-1978, due to the efforts of the HRC and the setting up of a Task Force on Suspensions at the District, that number was reduced to 761. The largest number of suspensions continue to be at the junior high school level, where 1,440 were suspended in 1976-1977, and 427 in 1977-1978; in the senior high schools, 943 in 1976-1977, and 334 in 1977-1978.

On the subject of S.F.U.S.D. response to the Task Force recommendations on suspensions, the guests told the Committee that it was not possible for them to respond to all of them. The Committee reviewed some of the recommendations, including one that there be a clarification of insubordination and defiance as reasons for suspension; that the HRC has asked for some kind of response to or explanation of the disproportionate number of black students suspended; that the HRC has recommended a clarification of state laws, District and school site policies/procedures relating to suspensions; and recommendations for viable alternatives prior to and after suspensions.

The guests said that the HRC recommendation for a clarification of state laws has been implemented and that they find it easier now for them in dealing with suspensions to have the S.F.U.S.D. policy formulated in terms of the state law. There is now far less ambiguity, in such operations as handling discipline problems. There are more safeguards now, with hearings, advance notice to students and parents, assignment of homework to suspendees, etc.

Neither guest was able to tell the Committee much about the recommendation for viable alternatives. The Committee concurs in the feeling that there have not to date been adequate viable alternatives to suspensions.

NEW MATTERS

- Nominating Committee for 1979.

Chairperson Yamakawa named Commissioner Giles chairperson of the Nominating Committee to name candidates for chairperson and vice-chairperson of the HRC for 1979 at its first meeting (January 11) in 1979. Serving with her are Commissioner Maxwell and Mezey.

- The Potrero View Neighborhood Newspaper was distributed by Commissioner Maxwell.

CALENDAR MATTERS

- The next regular meeting of the HRC is scheduled for December 28. If that meeting is cancelled due to the holiday slowdown of activity, that announcement will be made later. The first meeting in 1979 is January 11, at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, January 18, 1979, 9:30 A.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street, San Francisco
Gay Advisory	To be Announced.
Housing & Urban Development	To be Announced.
Ordinance Revision Committee	To be Announced.
Police Liaison/Social Issues	To be Announced.
Youth and Education	Thursday, January 4, 1979, 3:30 P.M. Grace Cathedral, Cathedral House Library 1051 Taylor Street, San Francisco

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM/JC/gb

1/5/79

Attachment #1
December 1, 1978

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

REPORT ON THE EFFECTIVENESS OF ARTICLE 33, (POLICE CODE) SIX MONTHS SINCE ITS INCEPTION

Effective May 11, 1978, the San Francisco Board of Supervisors amended the Police Code by adding Article 33, prohibiting discrimination based on sexual orientation in employment, housing, and public accommodations and providing remedies therefor. At its meeting of March 20, 1978, the Board of Supervisors passed the proposed ordinance for second reading, and Supervisor Kopp requested that the Human Rights Commission prepare and submit a report on the effectiveness of this ordinance six months after its effective date, and also requested that such report include the nature of complaints filed and the actions taken thereon. He further requested that a second such report be submitted to the Board of Supervisors at the completion of one year following the Ordinance's effective date.

Article 33 of the San Francisco Police Code, effective May 11, 1978, prohibits discrimination based on sexual orientation in employment, housing, and public accommodations, and provides remedies therefor. Under Section 3307 (a), which relates to enforcement, the Human Rights Commission maintained its original powers to investigate and mediate complaints under the provisions of Section 12.A of the Administrative Code of the City and County of San Francisco. Actual enforcement dealing with employment powers within the jurisdiction of the Human Rights Commission is limited under the provisions of Section 12.B of the Administrative Code and relates only to cases involving City Contractors.

Compared to the HRC's records dating back to March, 1975, the nature of complaints has not changed. Discrimination in employment is the subject of most complaints, overwhelmingly. Approximately 60% of these involve an employee who has been on the job for more than two years, and 90% represent clients who feel that they were denied an employment opportunity because of their sexual orientation. Complaints involving discrimination in housing ranks second to employment. Half of these complaints involve evictions and half represent the denial of an opportunity to rent based on the client's sexual orientation. Denial of the use of public accommodations ranks third and complaints involving the Police are fourth in line.

The following statistics represent the number of complaints the HRC has documented during this six-month period. Only those complainants who were willing to give their names, addresses, or phone numbers are counted. Many complainants are unwilling to give their names and addresses.

NATURE OF COMPLAINT	NUMBER RECEIVED	REFERRED TO D.A.
Employment	21	12
Housing	5	5
Public Accommodation	4	4
Police	3	0

Since Article 33 came into effect, the staff of the Human Rights Commission has diligently explained the additional areas of protection provided City-wide, as well as the various means available toward a remedy, to everyone considering a complaint and to everyone calling for general information. As in the past, more than three-quarters of the complaints were resolved through informal mediation. However, since the inception of Article 33, when a complaint for any reason could not be resolved through informal mediation and the Human Rights Commission did not have jurisdictional enforcement powers under Section 12.B of the Administrative Code, staff referred the complainant to the San Francisco District Attorney's Office.

The number of complaints to the Human Rights Commission involving discrimination based on sexual orientation has dropped considerably during the past year. The ratio has remained the same, however, during the six months since Article 33 became effective. The drop in the number of complaints might be attributed to several factors. It must be noted that Senator John Briggs began his campaign in December, 1977 to put a state-wide initiative on the ballot which would allow for the dismissal of teachers who were known to be Gay or who supported Gay rights publicly. At that time, he was attempting to qualify for the June, 1978 Primary ballot. Because of a technicality, he did not qualify his initiative for the Primary, so his campaign began all over again and proceeded ultimately to qualify for the November General Election, as Proposition Six. During this period of time, many initial interviews were held by HRC Staff with those considering filing a complaint who expressed their discomfort at becoming part of a public record while the outcome of the campaign remained undecided. And almost all segments of the active Gay communities focused all of their attention on the battle against the Briggs Initiative during this period as well.

Moreover, the addition of Article 33 to the Police Code received considerable press coverage, nationally as well as throughout the Bay Area. The fact that the Ordinance provided City-wide protection was well-reported.

In conclusion, the purpose of the Ordinance was to add City-wide protection for a class of citizens who were experiencing discrimination with no remedies provided on any other governmental level. The more "effective" the Ordinance, the less complaints staff would expect to receive.

During the next six months, HRC staff will continue to keep accurate records of complaints and will provide a report on activities during the year Article 33 will have been in effect.

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